

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR,**  
**AT CAMP COURT ABBOTTABAD**

Service Appeal No. 8145/2020

Date of Institution ...17.07.2020

Date of Decision ... 19.04.2022

Zeeshan Zeb S/O Aurangzeb, LHC No. 572, District Police Haripur,  
R/O Village Darwesh, Tehsil and District Haripur.

... (Appellant)

**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and two  
others.

... (Respondents)

-----  
MR. MUHAMMAD ASLAM TANOLI,  
Advocate

--- For appellant.

MR. NOOR ZAMAN KHATTAK,  
District Attorney

--- For respondents.

MR. SALAH-UD-DIN  
MS. ROZINA REHMAN

--- MEMBER (JUDICIAL)  
--- MEMBER (JUDICIAL)

**JUDGMENT:**

SALAH-UD-DIN, MEMBER:- Brief facts giving rise to filing of the instant service appeal are that the appellant while posted in Police Line Haripur, was proceeded against departmentally on the allegations of absence from duty with effect from 26.09.2019 till 17.03.2020 i.e the date of his dismissal from service. The appellant filed departmental appeal on 08.04.2020, which was disposed of by Regional Police Officer Hazara Region, Abbottabad vide order dated 05.06.2020, whereby the appellant was reinstated in service by converting the punishment of dismissal from service into stoppage of three years increments with cumulative effect, while the absence period as well as the period during which



the appellant remained out of service, was treated as leave without pay. The appellant being aggrieved, has now approached this Tribunal through filing of the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they denied the assertions made by the appellant in his appeal.

3. Learned counsel for the appellant has contended that no charge sheet or statement of allegations was served upon the appellant and whole of the inquiry proceedings were conducted at his back. He next contended that the appellant was not provided any opportunity of personal hearing or self defense and he was treated with discrimination. He further argued that it was will within the knowledge of the inquiry officer as well as the competent Authority that absence of the appellant was not willful rather it was due to the fact that he was under treatment for mental illness. He next contended that the appellant had submitted applications to Incharge Police Line for grant of medical leave and had also annexed medical certificate alongwith the same, therefore, respondents were required to have treated the absence period as medical leave, whereas the period during which the appellant remained out of service was required to have been treated as on duty. He further argued that although there is some delay in filing of the service appeal but the same was due to the lockdown on account of COVID-19, therefore, the delay if any, in filing of the appeal is condonable.

4. On the other hand, learned District Attorney for the respondents has argued that the appellant was in the habit of habitual absenteeism and had remained absent for a considerable long period without any sanctioned leave or permission of the competent Authority. He next contended that regular inquiry was conducted in the matter, however the appellant deliberately avoided to associate himself in the inquiry proceedings. He further argued that all legal and codal formalities were complied during the inquiry proceedings and it was proved that the appellant had remained absent without

any sanctioned leave or permission of the competent Authority. He next contended that the departmental appeal of the appellant was decided vide order dated 05.06.2020, which was required to have been challenged within 30 days but the appellant has filed the instant service appeal on 17.07.2020, which is time barred and is liable to be dismissed on this score alone. He next contended that the appellate Authority has already taken lenient view in the matter, therefore, the impugned order may be kept intact and the appeal in hand may be dismissed.

5. We have heard the arguments of learned counsel for the appellant as well as learned District Attorney for the respondents and have perused the record.

6. A perusal of the record would show that disciplinary action was taken against the appellant on the ground that vide daily diary No. 74 dated 26.09.2019, it was reported that the appellant had remained absent from duty and such absence remained continued till the date of order of his dismissal announced vide order book No. 170 dated 12.03.2020 and issued on 17.03.2020. It is evident from the record that inquiry proceedings were conducted against the appellant in his absence. Nothing is available on the record, which could show that charge sheet or summery of allegations was personally served upon the appellant. The appellant has alleged in his departmental as well as service appeal that he could not attend his duty, being suffering from mental illness. The departmental appeal of the appellant was disposed of by Regional Police Officer Hazara Region, Abbottabad vide order dated 05.06.2020, wherein he has categorically observed as below:-

"In addition to this, one fact which needs to be further probed is that it prima facie appears that the appellant suffers from some Psychiatric/Psychological issues. DPO Haripur is directed to write to Medical Board for his medical examination as to whether the official is fit to continue service with his present mental health or not. The DPO will be at liberty to take any

action as per the opinion of the Medical Board".

Record is silent as to whether medical board of the appellant was conducted or not, however it is clear from the order dated 05.06.2020 passed by Regional Police Officer Hazara Region, Abbottabad that the appellant was prima facie suffering from Psychiatric/Psychological illness at the relevant time. In these circumstances, his absence from duty could not be considered as intentional or willful. Moreover, vide impugned order dated 05.06.2020 passed by the Regional Police Officer Hazara Region, Abbottabad the period during which the appellant remained absent from duty was treated as leave without pay and as such the same was regularized by the appellate Authority itself. The appellate Authority was then not justified in awarding the appellant the punishment of stoppage of three annual increments with cumulative effect. Similarly, the intervening period during which the appellant remained out of service on account of his wrongful dismissal was also wrongly treated as without pay vide order dated 05.06.2020 passed by Regional Police Officer Hazara Region, Abbottabad.

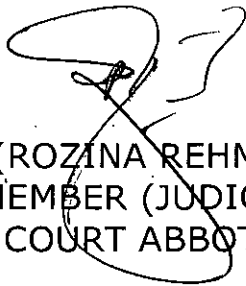


7. In wake of COVID-19, the Government of Khyber Pakhtunkhwa declared Public Health Emergency for the first time in March, 2020 for three months, which was extended from time to time for further term. The case of the appellant falls within the period of emergency. In view of Section-30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. The departmental appeal of the appellant was decided on 05.06.2020, while he filed the instant service appeal on 17.07.2020. The service appeal has though been filed beyond the statutory period of 30 days, however in view of Section-30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the appeal in hand is not hit by limitation.

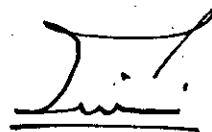
8. In view of the above discussion, three annual increments of the appellant stand restored with all

consequential benefits, while the intervening period with effect from 12.03.2020 till 04.06.2020, during which the appellant remained out of service, is directed to be treated as on duty with all consequential benefits. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
19.04.2022



(ROZINA REHMAN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD



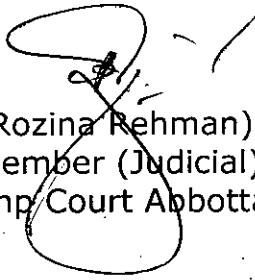
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD

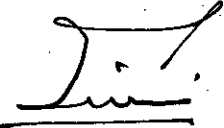
ORDER  
19.04.2022

Learned counsel for the appellant present. Mr. Nisar Ahmed, Reader alongwith Mr. Noor Zaman Khattak, District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, three annual increments of the appellant stand restored with all consequential benefits, while the intervening period with effect from 12.03.2020 till 04.06.2020, during which the appellant remained out of service, is directed to be treated as on duty with all consequential benefits. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
19.04.2022

  
(Rozina Behman)  
Member (Judicial)  
Camp Court Abbottabad

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

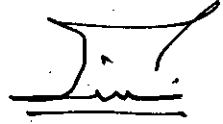
19.01.2022

Learned counsel for the appellant present. Mr. Israr Shah, Reader alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Additional Advocate General requested for adjournment on the ground that the brief of the instant appeal is not available to him today. Adjourned. To come up for arguments on 18.04.2022 before the D.B at Camp Court Abbottabad.



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



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

18.04.2022

Learned counsel for the appellant present. Mr. Nisar Ahmed, Reader alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for a short adjournment being not felling well today. Adjourned. To come up for arguments on 19.04.2022 before the D.B at Camp Court Abbottabad.



(Rozina Rehman)  
Member (J)  
Camp Court Abbottabad



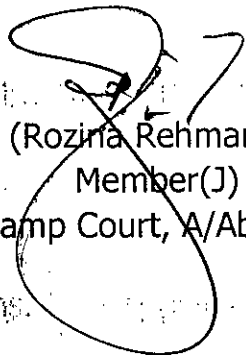
(Salah-ud-Din)  
Member (J)  
Camp Court Abbottabad

18.02.2021 Appellant present through counsel.

Noor Zaman Khattak learned District Attorney alongwith Shamrez A.S.I for respondents present.

Despite directions, reply was not submitted, therefore, preliminary arguments heard.

Points raised need consideration. 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 notices be issued to respondents for written reply/comments. To come up for written reply/comments on 15.06.2021 before S.B at Camp Court, Abbottabad.

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

15.06.2021 Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 30.09.2021.

  
Reader

30.09.2021 Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Mujahid Shah, HC for the respondents present.

Written reply submitted by the respondents. Case to come up on 19.01.2022 before D.B at camp court, Abbottabad.

  
Chairman  
Camp Court, A/Abad

Appellant Deposited  
Security & Process Fee

23/2/21






Form- A

FORM OF ORDER SHEET

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

Case No.- 8145 /2020

1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/07/2020	<p>The appeal of Mr. Zeeshan Zeb presented today by Mr. Muhammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>20.11.20</u></p> <p> CHAIRMAN</p>
20.11.2020		<p>Mr. Mohammad Aslam Tanoli, Advocate, for appellant is present.</p> <p>In view of the arguments addressed at the bar by the learned counsel representing appellant, it is deemed appropriate to issue pre-admission notice to respondents for 18.02.2021, simultaneously, directing them to submit their reply/comments before S.B at Camp Court, Abbottabad.</p> <p> (MUHAMMAD JAMAL KHAN) MEMBER CAMP COURT ABBOTTABAD</p>

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

Ph # 0995-920100 / 0995-920101

Fax # 0995-614714

Email-dpolharipur1@gmail.com

Dated 09.06.2020

297/

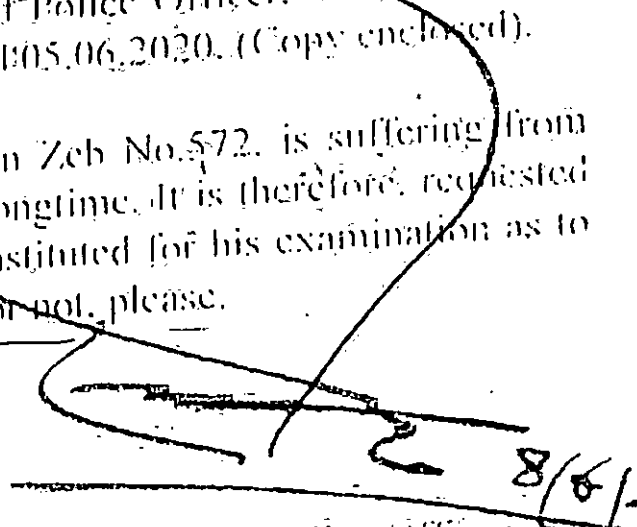
To: The Chief Executive  
Govt. Services Hospital  
Peshawar

Subject: STANDING MEDICAL BOARD

Memor:

Kindly refer to the Regional Police Officer, Hazara Region, Abbottabad vide order Jydst: No. 12824/PA dated 05.06.2020. (Copy enclosed).

It is stated that I/O: Zeshan Zeb No. 572, is suffering from some psychiatric/psychological problems for a long time. It is therefore, requested that a standing medical board may please be constituted for his examination as to whether the official is fit to continue his service or not, please.

  
District Police Officer  
Haripur

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Appeal No.....

**8145**

Zeeshan Zeb S/O Aurangzeb, LHC No: 572, District Police Haripur, R/O Village Darwesh, Tehsil and District Haripur.

**Appellant**

**VERSUS**

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

**Respondents**

**SERVICE APPEAL**

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5.	Wakalatnama		

Through

*Zeeshan Zeb*  
**Appellant**

*M. Aslam*

(Mohammad Aslam Tanoli)  
Advocate High Court  
at Haripur

Dated: / 7-07-2020

①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Appeal No.....

8145/20

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 9412

Dated 17/7/2020

Zeeshan Zeb S/O Aurangzeb, LHC No. 572, District Police  
Haripur, R/O Village Darwesh, Tehsil and District Haripur.

Appellant

VERSUS

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

Respondents

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL  
ACT 1974 AGAINST ORDER DATED 17-03-2020 OF THE DISTRICT  
POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN  
"DISMISSED FROM SERVICE" AND ORDER DATED 05-06-2020  
(DELIVERED ON 02-07-2020) OF THE REGIONAL POLICE OFFICER  
HAZARA REGION ABBOTTABAD WHEREBY WHILE ACCEPTING  
APPELLANT'S DEPARTMENTAL APPEAL THE PENALTY OF DISMISSAL  
FROM SERVICEE HAS BEEN CONVERTED INTO STOPPAGE OF 03  
ANNUAL INCREMENTS WITH CUMULATIVE EFFECT AND THE PERIOD  
APPELLANT REMAINED OUT OF SERVICE AND ABSENT FROM DUTY  
TREATED AS LEAVE WITHOUT PAY.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH  
ORDERS DATED 17-03-2020 AND 05-06-2020 OF RESPONDENTS  
MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE RESTORED  
HIS 03 ANNUAL INCREMENTS FROM THE DATE OF ITS STOPPAGE  
AND PERIOD IN WHICH APPELLANT REMAINED OUT OF SERVICE  
BE TREATED AS ON DUTY WHILE PERIOD OF ABSENCE AS LEAVE  
ON MEDICAL GROUNDS WITH ALL CONSEQUENTIAL SERVICE  
BACK BENEFITS.**

Respectfully Sheweth:

**Filed to-day**

Registrar

17/7/2020

1.

That on 26-09-2019, while appellant posted at  
Police Lines, Haripur and performing his official

duties fell ill seriously as the appellant suffered with some mental disease quite for some time. Appellant was taken to his house by his colleagues from where he was shifted to his Physician for medical treatment. The Doctor after examining appellant and obtaining clinical tests prescribed medicines and advised complete bed rest for recovery of his health. This fact was in the knowledge of appellant's officers as well as colleagues. Nevertheless the appellant submitted written applications along with copies of medical treatment to the In-charge Police Lines Haripur for grant leave on medical grounds. **(Copies of Clinical Reports/Medical Treatment are attached as Annexure- "A")**.

2. That appellant was confined to bed thus unable to join his duties due to severe mental problems. Though appellant was under incessant medical treatment yet he kept informed his I/C Police Lines Haripur about his ailing condition and submitted applications for placing before the competent authority for grant leave on medical grounds.
3. That due to appellant's bad luck, he had to face a protracted combat against his illness for a long period of time. Ultimately when feeling better to some extent he approached for joining duty he was informed that he had been dismissed from service on 17-03-2020. **(Copy of dismissal order of 17-03-2020 is attached herewith a Annexure-"B")**.

3

4. That despite appellant's repeated requests for grant of leave on medical grounds he was never informed about rejection of his leave by competent authority. In such a situation the appellant was fully satisfied and expected of sanction of his leave due to his serious illness.
5. That no proper departmental inquiry was conducted against the appellant. No Charge Sheet or Show Cause Notice was issued to him before awarding major penalty of dismissal from service. Even appellant was not provided with the opportunity of personal hearing and was condemned unheard and the principle of natural justice was seriously violated in his case.
6. That the appellant was appointed as Constable in the Police Department in 2004 thus he has rendered more than 15 years service. He always performed his official duties with devotion, dedication and honesty to the entire satisfaction of his officers. Appellant has meritorious service record at his credit.
7. That as appellant has more than 15 years service; therefore, there is sufficient leave balance at his credit. The appellant deserve to be granted medical Leave out of his Leave Account.
8. That appellant aggrieved of the order dated 17-03-2020 preferred a departmental appeal dated

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08-04-2020 before the Regional Police Officer, Hazara Region, Abbottabad which was partially accepted vide order dated 05-06-2020 (delivered on 02-07-2020 on his specific application). Appellant was reinstated in service and penalty of dismissal from service was converted into stoppage of 03 annual increments with cumulative effect. The period appellant remained out of service and absent from duty has been treated as leave without pay despite the fact that he was forcibly kept out of service. **(Copies of departmental appeal dated 08-04-2020 and order dated 05-06-2020 are Annexed as- "C & D")**.

9. Hence instant service appeal, inter alia, on the following amongst others:-

**GROUND:**

- a) That impugned orders dated 17-03-2020 and 05-06-2020 of the respondents are illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence liable to be set aside.
- b) That no proper departmental inquiry was conducted. No Charge Sheet and Show Cause Notice was issued to the appellant. No inquiry report was provided to him. Even opportunity of personal hearing was not afforded to the appellant rather he was condemned unheard.

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- c) That respondents have not treated the appellant in accordance with law, departmental rules & regulations and policy on the subject and have acted in violation of Article-4 of constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned orders, which are unjust, unfair hence not sustainable in the eyes of law.
- d) That appellate authority has also failed to abide by the law and even did not take into consideration the grounds of his illness taken by appellant in the memo of appeal and went on to accept appeal only partially. Thus act of respondent is contrary to the law as laid down in the KPK Police Rules 1934 read with section 24-A of General Clause Act 1897 and Article 10-A of the Constitution of Islamic Republic of Pakistan 1973.
- e) That appellant had discharged his duties & responsibilities with dedication and honesty and had left no stone unturned. The appellant could not attend his duties because of his serious mental illness. This fact was in the knowledge of his officers. Appellant submitted applications and medical/treatment certificates to I/C Police Lines for grant of medical leave. Appellant never deliberately, willfully or without information remained absent. Hence he was wrongly awarded the penalty.
- f) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudicate upon the lis.



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PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service Appeal order dated 17-03-2020 and 05-06-2020 of the respondents may graciously be set aside and appellant be restored his 03 annual increments from the date of its stoppage and the period in which appellant remained out of service be treated as on duty while period of absence as leave on medical grounds with all consequential service back benefits. Any other relief which this Honorable Service Tribunal deems fit and proper in circumstances of the case may also be granted.

Through:

*Zeehan Zeb*  
Appellant

*M. Aslam*

(Mohammad Aslam Tanoli)  
Advocate High Court  
At Haripur

Dated / 7 -07-2020

VERIFICATION

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

Dated / 7-07-2020

*Zeehan Zeb*  
Appellant

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**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Zeeshan Zeb S/O Aurangzeb, LHC No. 572, District Police  
Haripur, R/O Village Darwesh, Tehsil and District Haripur.

**Appellant**

**VERSUS**

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

**Respondents**

**SERVICE APPEAL**

**AFFIDAVIT:**

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

*Zeeshan zeb*  
**Deponent/Appellant**

Dated: / 7-07-2020

Identified By:

*M. Aslam*

Mohammad Aslam Tanoli  
Advocate High Court  
At Haripur

*Zeeshan zeb*  
**Appellant**



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

Zeeshan Zeb S/O Aurangzeb, LHC No. 572, District Police  
Haripur, R/O Village Darwesh, Tehsil and District Haripur.

**Appellant**

**VERSUS**

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

**Respondents**

**SERVICE APPEAL**

**CERTIFICATE**

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

*Zeeshan zeb*  
**APPELLANT**

Dated: 17-07-2020

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

Zeeshan Zeb S/O Aurangzeb, LHC No. 572, District Police Haripur, R/O Village Darwesh, Teh & Distt Haripur. ...**(Appellant)**.

**VERSUS**

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Kohat Region, Abbottabad.
3. District Police Officer, Haripur.....**(Respondents)**

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


Respectfully Sheweth:

1. That applicant/appellant has filed today a Service Appeal, which may be considered as part and parcel of this application, against order dated 17-03-2020 and 05-06-2020 passed by respondents, whereby respondent No. 3/the District Police Officer Haripur awarded the appellant with penalty of dismissal from service and respondent No.2/appellate authority has converted the penalty from dismissal into stoppage of 03 annual increments with cumulative effect.
2. That as the orders of departmental authorities have been passed in violation and derogation of the statutory provisions governing the terms and condition of service of the appellant and facts of the case, therefore, causing a recurring cause of action to the applicant/appellant can be challenged and questioned irrespective of a time frame.

- 3. That the appellant authority/the DIG Hazara Region Abbottabad passed the impugned appellate order on 05-06-2020 but while its copy was delivered by respondent No. 3/the DPO Haripur to the appellant on 02-07-2020 and that too on his specific application. That on the other there being lock-down and non-availability of public transport due corona virus, the same if could not be filed earlier despite the fact that appellant has rigorously been pursuing his case. Therefore, the delay, if any, in filing instant service appeal is due to the forgoing reasons.
- 4. That instant application is being filed as an abundant caution for the condonation of delay, if any. The impugned orders are liable to be set aside in the interest of justice.

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

Through:

*Zeeshan Zeb*  
 Applicant/Appellant  
  
 (Mohammad Aslam Tanoli)  
 Advocate High Court  
 At Haripur

Dated: / 7-07-2020

**VERIFICATION:**

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

Dated: / 7-07-2020

*Zeeshan Zeb*  
 Applicant/Appellant



Col.  
**DR. ABID AFTAB**  
 MBBS, DIP PSYCH, MCPS, FCPS  
 Consultant Psychiatrist  
 Assistant Professor of Psychiatry  
 AFIMH Rawalpindi.  
 Not Valid For Court Use  
 For Appointment: 0321-7112964  
 E-mail: abidaftab@yahoo.com

Annex-A

ڈاکٹر عابد آفتاب

ایم بی ایس، ڈیپ سائیکالوجی، ایم سی ایف سی، ایف سی ایس  
 ماہر امراض اعصاب و ذہنی صحت، مدرسہ روز اور شبلیات  
 اے ایف آئی ایم ایچ، راولپنڈی  
 فون نمبر: 0321-7112964

Mv ... 3/2/22

4/2/22

1- tab Epival 20mg  
 Hoti / OK  
 E. re

2- tab Modone 4mg  
 1/2 x 10 / OK  
 (1 x 10) / OK

3- tab ...  
 Hoti / OK  
 E. re

4- tab ...  
 Hoti / OK  
 E. re

Chosh  
 F20  
 - 10g

Tr ...

or ...

Cemidori  
 F12 ?

012 Small fold  
 Nature  
 Nofee  
 oddities  
 wavy ...

روانہ ...

Attest  
 Zeehan Zeh

Col  
**Dr. ABID AFTAB**  
 MBBS, MCPS, FCPS  
 Consultant Psychiatrist  
 AFIMH Rawalpindi.

12

Patient Copy

CENTRAL REGISTRY - AFIMH RAWALPINDI

CASH RECEIPT

Serial: 14183

Date: 04/02/2020

Name: Zeeshan Zaidi

Sex: Age: No of visit: 1st

S/o. W/o. D/o.

Name of Specialist Col. Abid Affab

Consultation Psychotherapy / ECT/EEG Fee (In World)

One thousand

Rs. 1000/-

Sig with Stamp

Attested  
Zeeshan Zaidi



# AYUB TEACHING HOSPITAL, ABBOTTABAD

## Filter Out Patient Department

13

Book No. 4817

S. No. 064

Patient ID: 148470

Patient Age:

Patient Date & Time:

OPD:

IDP Status:

Patient Name:

Patient Sex:

Patient Mode:

Address:

Amount:

زبان

1st Episode 7 months  
Back

current — 1 month

h

- Suspicious
- inappropriate talk at times
- reduced sleep
- THC- Abuse

Tal. Buzon  
1 + 1 2mg

Tal. Kempiro 5mg  
1/2 + 1/2

Tal. Alivan 20  
2mg

Alkethal  
200mg 3cb





AYUB TEACHING HOSPITAL, ABBOTTABAD

Filter Out Patient Department

14

Book No.

964

S. No.

088

Patient ID:

172223

Patient Name:

Patient Age:

Patient Sex:

Patient Date & Time:

5/12/19

Patient Mode:

زبان

OPD:

Address:

IDP Status:

Amount:

14

Tax Hapricit

20mg

30

Tax. olpura

5mg

Dr. Sunil Kumar

30

Signature

Signature

Signature

Zeeshaan Zeb



18

**AYUB TEACHING HOSPITAL, ABBOTTABAD**  
Filter Out Patient Department

Book No. 9904      161502      S. No. 002

---

Patient ID: \_\_\_\_\_ Patient Name: \_\_\_\_\_

Patient Age: \_\_\_\_\_ Patient Sex: \_\_\_\_\_

Patient Date & Time: 27/9/2019 Patient Mode: \_\_\_\_\_

OPD: \_\_\_\_\_ Address: زینا

IDP Status: \_\_\_\_\_ Amount: \_\_\_\_\_

TAB ESTEZE NE 5mg      Psychotic DI

① + ①

- CAP PINTIN 12 6/25mg

① - ①

AD +  
depression of Refu

will advise ②

- TAB

Advised

Complete Bed Rest for 2 weeks.

~~advised~~

Dr. Farid

11/9/19

Attested  
Zeeshan Zeb

# PROF. DR. NAVEED IRFAN CLINIC

Dr. Ehsan Naveed Irfan

M.B.B.S (Bahria University)

General Practitioner

Reg#: 18426-N

Mob: 0333-3322210

0300-9110645

E-mail: drhsanaveed@gmail.com

www.irfanhospital.com



ڈاکٹر احسن نوید عرفان

ایم بی بی ایس (بی۔ یو۔ اے۔ سی)

جنرل فزیشن

رجسٹریشن نمبر: 18426-N

فون: 0333-3322210 / 0300-9110645

Pt's Name: محمد زین العابدین والدہ اور شہزیب Age: 36 year Sex: M Date: 12-11-2016

1. وارنٹ (بڑے - بڑے)

Blood Full  
B.C

Case of Dr. Paved  
Minhas.

Sust. IR 150mg

Levodone 2mg α (E1/E2)

Revaip 500mg α (P)

Insomant ix	Cognition
① Aggression	Sudden Altered consciousness
② Sudden	Panic

E  
man  
for  
revaip

Syp Mecomid  
1st

Advised EEG.

① Head injury (3 years)

② Degradation  
of sep as per  
ATM  
came for R. Insom

BP 120/80 mmHg

Pulse.....Mints

Temp.....F

Wt. 81 Kg

DR. EHSAN NAVEED IRFAN  
MBBS (FMC) R.M.P  
GENERAL PRACTITIONER  
WWW.IRFANHOSPITAL.COM

Attested  
Zeeshan Zeb

0300-5646434 0343-9081493

ایسٹیبان  
شکل (بہتر جمعرات شام)  
آہستہ  
اتوار و روزوار، بدھ (شام)  
برقی ہون  
شکل شام  
پشاور  
برہما آخری ہسپتال اور اور

# Infan Clinical Laboratory

Opp: King Abdullah Teaching Hospital Mansehra (KPK)

Name: Eshan Age & Sex: 1  
 By: Eshan (SB) Date: 22/10/16  
 Specimen: Blood Lab. No: 3

## LABORATORY REPORT

HEMATOLOGY			BIOCHEMISTRY		
TEST	NORMAL RANGE	RESULT	TEST	NORMAL RANGE	RESULT
Hemoglobin	(M) 14 - 18 (F) 12 - 16	13.2 G/DL	Glucose (F)	70 - 110	✓
Hematocrit	(M) 45 - 6.2 (F) 4.5 - 5.5	1 MLLum	Glucose (R)	A/B Fast Hr. PS	114 Mg/dl
Total White Cell	4000 - 11000	6.760 /cmm	Cholesterol	150 - 250	✓
Neutrophils	150000 - 400000		Triglycerides	50 - 170	✓
Lymphocytes	0.5 - 1.5		Total Lipids	400 - 800	✓
Differential Leucocytes Count			SGOT	8 - 40	✓
Eosinophils	40 - 75	55 %	LDH	45 - 90	✓
Monocytes	20 - 45	40 %	CPK	25 - 130	✓
Basophils	1 - 4	03 %	Acid Phosphates	114	✓
Platelets	2 - 6	02 %	Amylase	60 - 180	✓
Prothrombin Time (Westergren)	(M) 2 - 8 (F) 2 - 15	Min/1st hr	Urea	16 - 40	33 Mg/dl
Clotting Time	Ivy upto 9min	Min/Sec	Uric Acid	(M) 2.3 - 7 (A) 2.5 - 4.5	✓
Partial Thromboplastin Time (Patient)	upto 11min	Min/Sec	Creatinine	0.6 - 5.2	✓
Partial Thromboplastin Time (Control)		Sec	Sodium	136 - 145	MEGA
Blood Parasites		Sec	Potassium	3.5 - 5.2	MEGA
Red Cells Morphology			Chloride	98 - 107	Mg/dl
			Calcium	9 - 11	Mg/dl
			Phosphorus	4.5 - 5.5 (A) 2.5 - 4.5	Mg/dl
			Bilirubin Total	0.1 - 1.0	0.74 Mg/dl
			Bilirubin Direct	Upto 0.3	Mg/dl
			Bilirubin Indirect	0.7	Mg/dl
			SGPT	5.30	Wu/ml
			AID Phosphate	(A) 0.9 - 3.5 (C) 3.5 - 100	U/L
			Protein Total	6.0 - 8.0	G/dl
			Albumin	3.5 - 5.2	G/dl
			Globulins	2.3 - 3.6	G/dl

Widal Aggnutational Test		Widal Aggnutational Test	
VDRL		Blood Group	
Rh Factor		Coomb's Test	
Montoux Test		Urine Pregnancy Test	
ICT (Tb)			

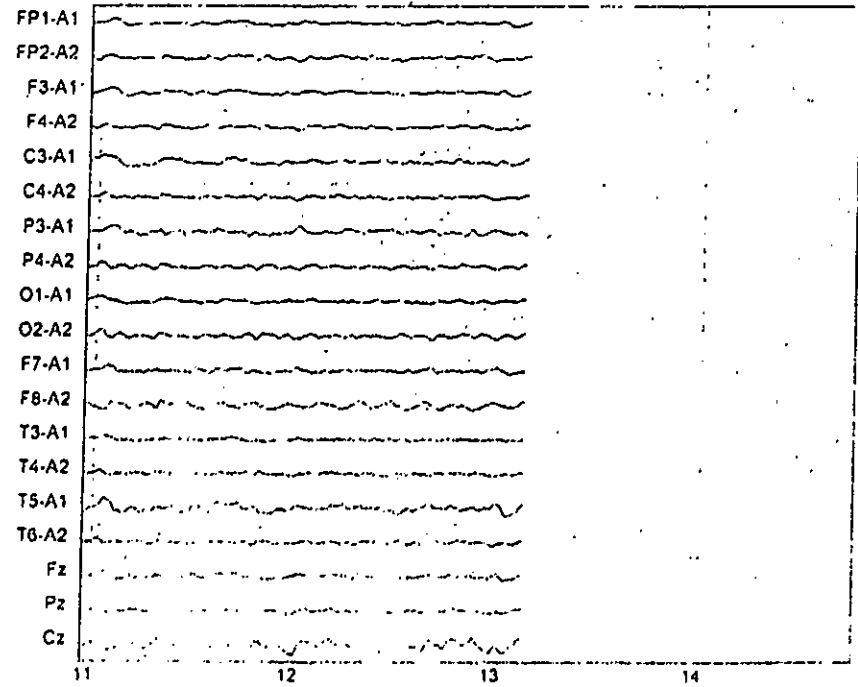
*Handwritten notes:*  
 A. Tested  
 22/10/16  
 Negative  
 Negative

(Please attach)

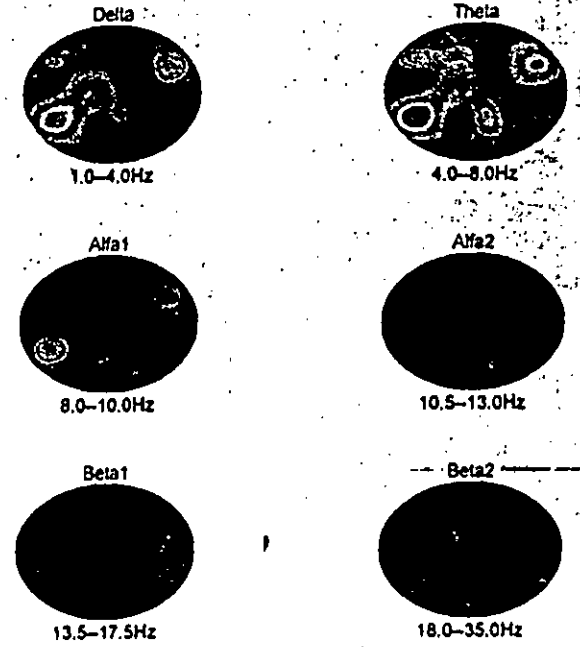
# EEG Analysis Report

ID:0000043	Name :zeeshan	Sex :Male	
Age :30	Custom:	Date :2016/12/11	Time: 1:07:14

81



### Absolute Top View



Condition: Posture lie    Consciousness: wake    Take medicine: \_\_\_\_\_    Diagnose: \_\_\_\_\_

#### EEG Analysis

Posterior rhythm 09-10 Hz alpha activity good amplitude & reactivity / symmetry present anterior rhythm is beta activity  
 No generalized or focal epileptiform activity seen during resting & HV records

#### BEAM Analysis

The current EEG during wakefulness is normal. There is no electrophysiological evidence of focal or generalized epilep  
 Eyes Movement and muscle artifacts in frontal & temporal areas Noted

Conclusion: The current EEG is normal.    Dr.Zarar.neurophysiology.technician.

Doctor \_\_\_\_\_    Date 12.11.16

Analyzed  
Zeeshan 30/11

Name :zeeshan

Sex :Male

Age :30

Date :2016/12/11

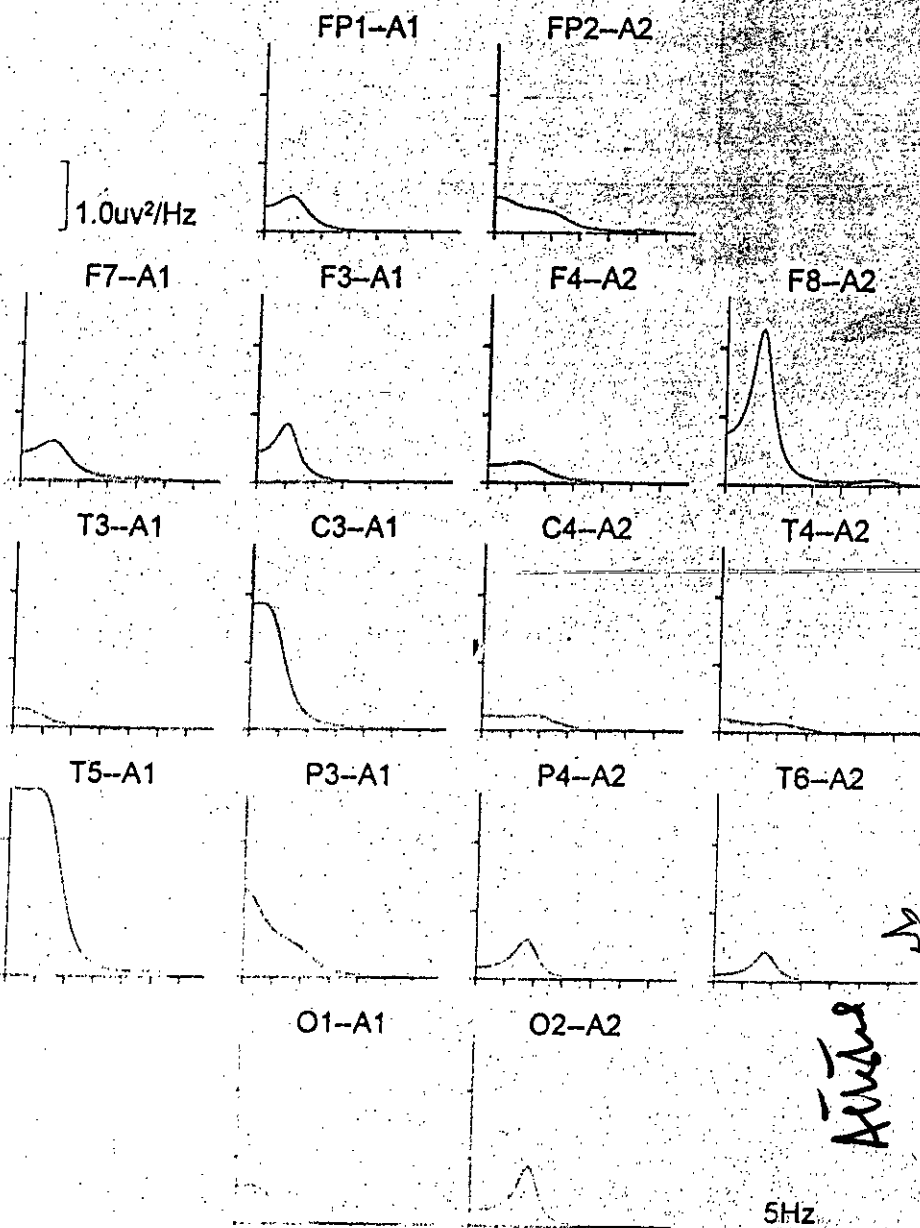
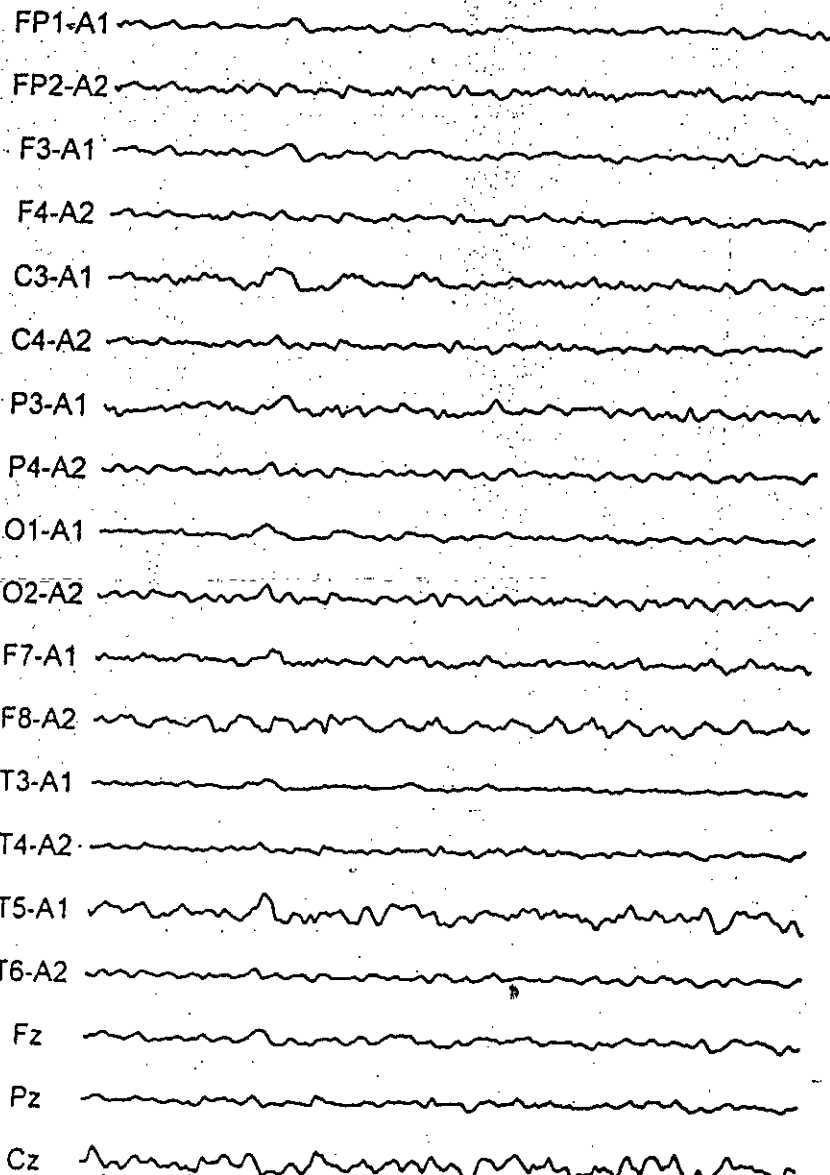
ID:0000043

Custom:

Speed :30mm/s

Amp :5mm/50uv

Type :Power Spectrum Graph



1.0uv<sup>2</sup>/Hz

5Hz

191

Amrinder  
Zeeshan

01.08: 11 12 13

Name :zeeshan

Sex :Male

Age :30

Date :2016/12/11

ID:0000043

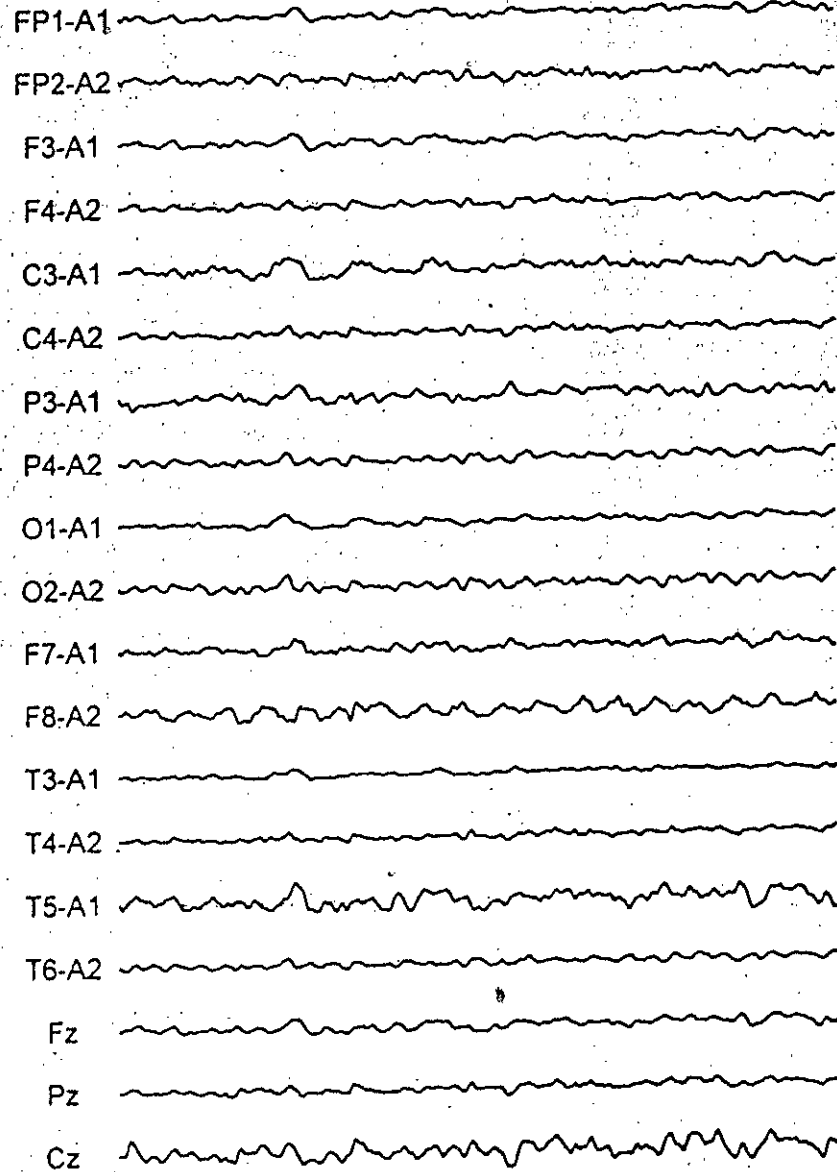
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Speed :30mm/s

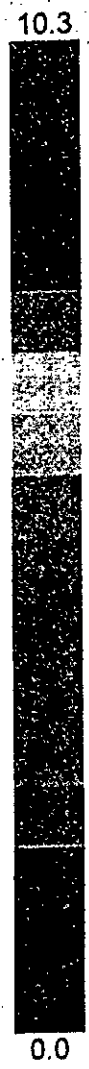
Amp :5mm/50uv

Type:Side View BEAM

20



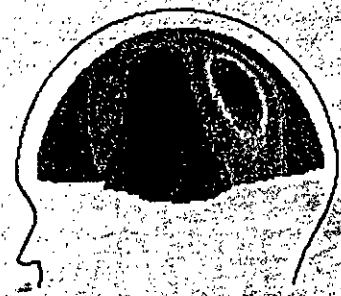
01:08: 11 12 13



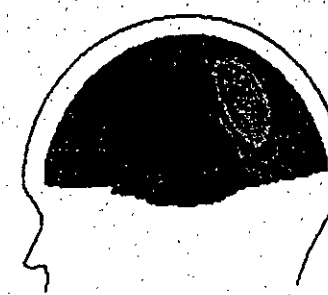
Delta:1.0-4.0Hz



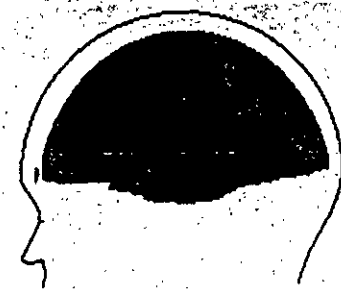
Theta:4.0-8.0Hz



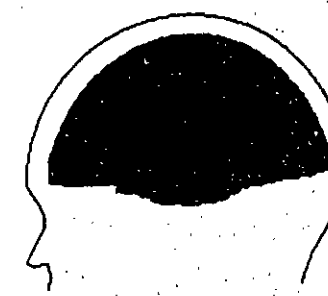
Alfa1:8.0-10.0Hz



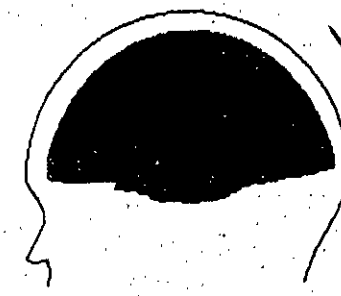
Alfa2:10.5-13.0Hz



Beta1:13.5-17.5Hz



Beta2:18.0-35.0Hz

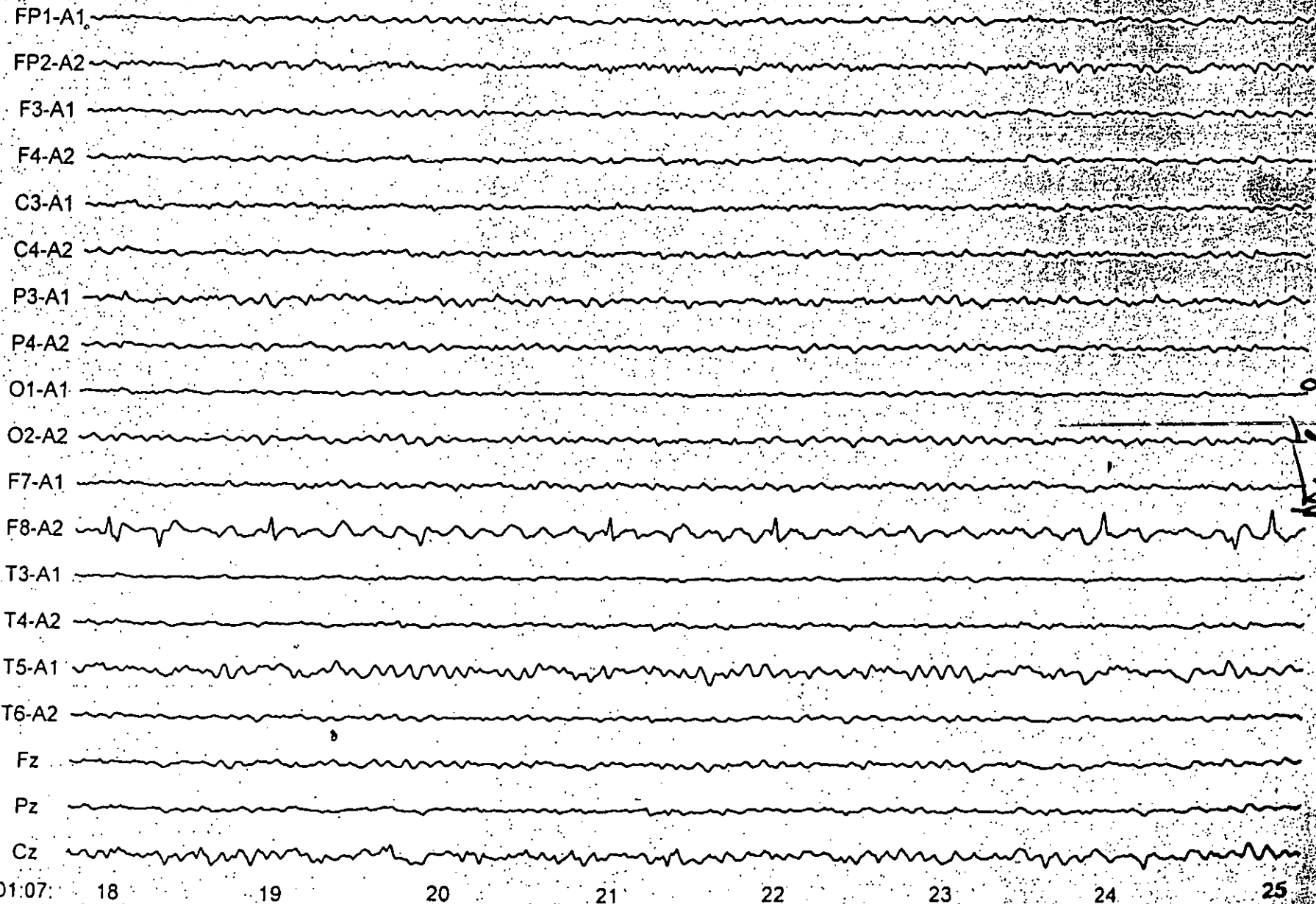


*Attended*  
*Zeeshan*

uv?

Name :zeeshan      Sex :Male      Age :30      Date :2016/12/11  
ID:0000043      Custom:      Speed :30mm/s      Amp :5mm/50uv      Type : EEG Review

21



*Handwritten signature*  
Deepti



Name :zeeshan

Sex :Male

Age :30

Date :2016/12/11

ID:0000043

Custom:

Speed :30mm/s

Amp :5mm/50uv

Type : EEG Review

FP1-A1

FP2-A2

F3-A1

F4-A2

C3-A1

C4-A2

P3-A1

P4-A2

O1-A1

O2-A2

F7-A1

F8-A2

T3-A1

T4-A2

T5-A1

T6-A2

Fz

Pz

Cz

01:07

31

32

33

34

35

36

37

38

22

Attended

Zeeshan Singh

Name : zeeshan

Sex : Male

Age : 30

Date : 2016/12/11

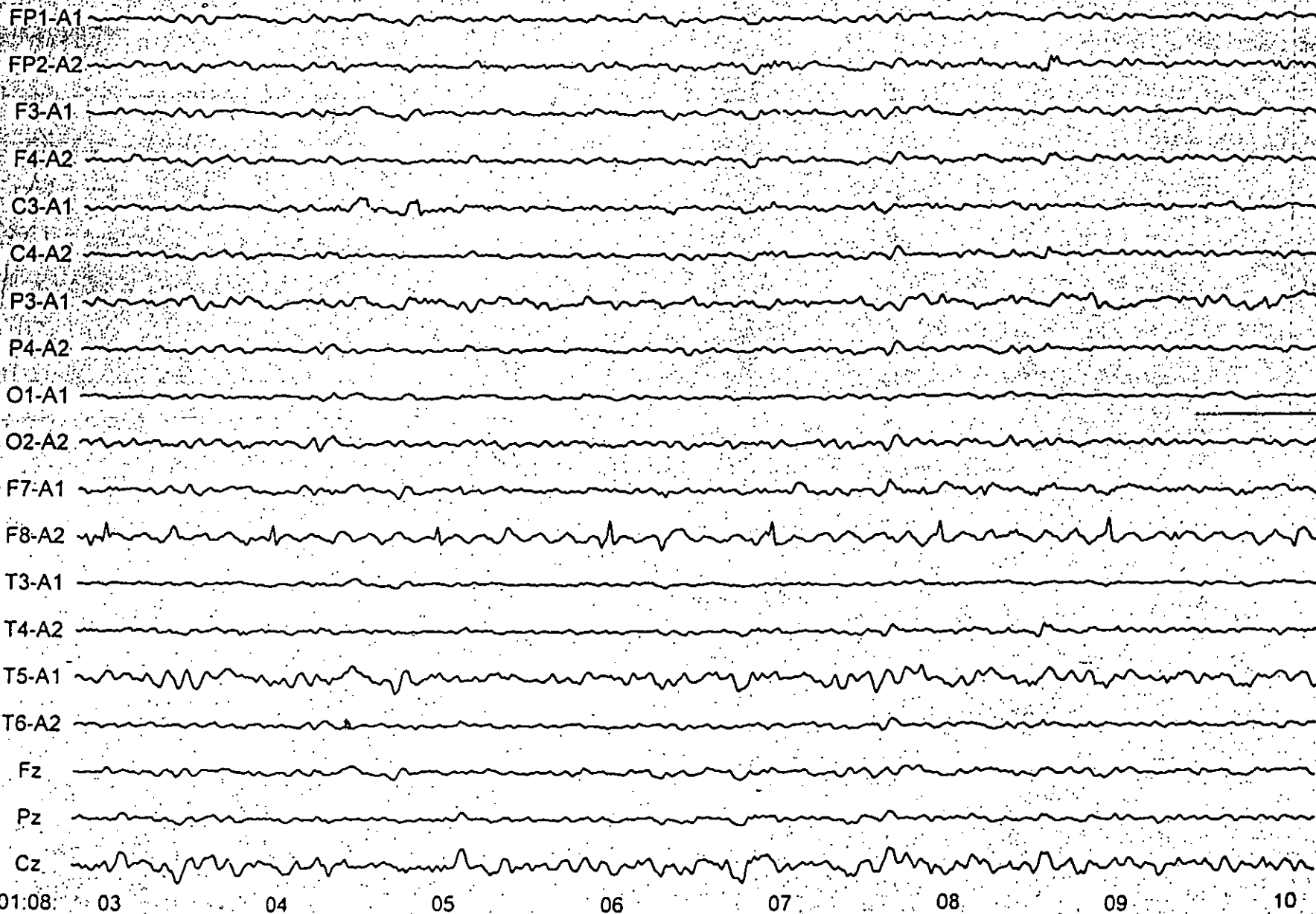
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Custom:

Speed : 30mm/s

Amp : 5mm/50uv

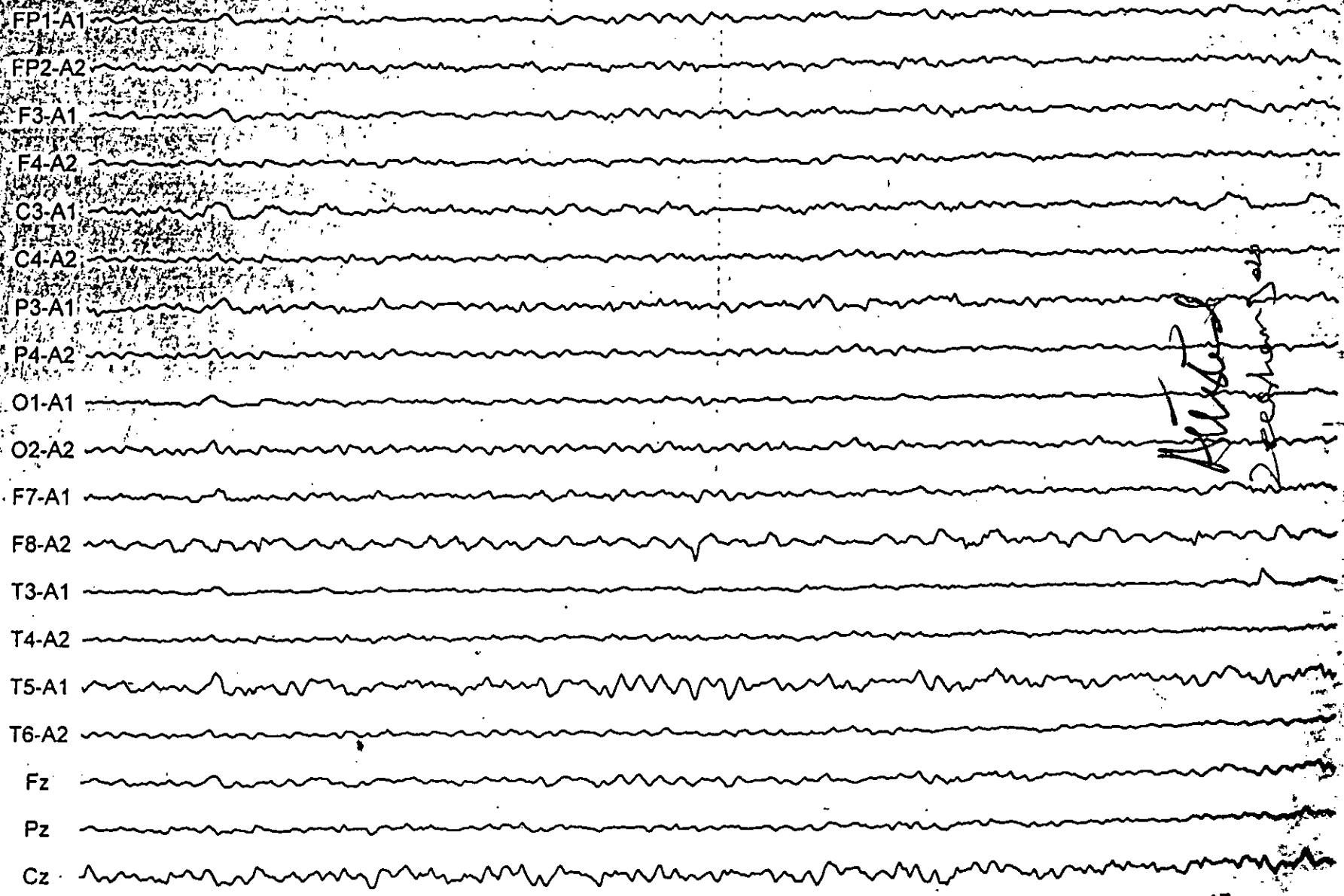
Type : EEG Review



27

zeeshan

Name : zeshan      Sex : Male      Age : 30      Date : 2016/12/11  
ID: 0000043      Custom:      Speed : 30mm/s      Amp : 5mm/50uv      Type : EEG Review



*Handwritten signature and name:*  
Zeshan

24

01:08:      11      12      13      14      15      16      17

25

Annex 'B'



OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

Ph. # 0995-920100 / 0995-920101

Fax # 0995-614714

E-Mail: dpoharipur1@gmail.com

No. 480

Dated 17/03/2020

ORDER.

LHC Zeeshan Zeb No.572, while posted at Police Lines, Haripur. It came to the notice of the undersigned vide Daily Diary No.74 dated 26.09.2019. that he absented himself from the legitimate duty without any leave or permission from the competent authority. The acts and omissions of defaulter official were misconduct under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rules 1975. Hence he was charge sheeted, vide this office, Endst: No.665-66/PA dated 31.10.2019.

To probe the matter, Deputy Superintendent of Police, Ghazi Mr. Muhammad Javed was appointed as Enquiry Officer, who conducted proper departmental enquiry and submitted his findings, vide his office Memo No. 445 dated 04.12.2019. The charges of misconduct were proved against the accused police official. Therefore, enquiry officer recommended him for major punishment. So, he was called in Orderly Room for personal hearing but he did not appear before the undersigned.

Having perused the finding of the enquiry officer, relevant record, the charges of misconduct are proved against the defaulter police official. Therefore, I, Syed Ashfaq Anwar (PSP), District Police Officer, Haripur being competent authority under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rule 1975, am fully satisfied that LHC Zeeshan Zeb No.572, committed gross misconduct. Therefore, he is awarded major punishment of "DISMISSAL FROM SERVICE" with immediate effect.

Order announced.

Order Book No.170

Dated 12.03.2020

(Syed Ashfaq Anwar) PSP

District Police Officer,

Haripur

Entry made

Muhammad Javed

17/3/2020

Muhammad  
Zeeshan Zeb

26

Annex-C

**BEFORE HONOURABLE REGIONAL POLICE OFFICER,**  
**HAZARA REGION, ABBOTTABAD.**

Departmental Appeal  
By LHC Zeeshan Zeb No.572  
Police Lines Haripur

**DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 170 DATED 12-03-2020 PASSED BY THE DISTRICT POLICE OFFICER HARIPUR WHEREBY THE APPELLANT HAS BEEN AWARDED WITH THE PENALTY OF "DISMISSAL FROM SERVICE".**

**PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL THE IMPUGNED ORDER DATED 12-03-2020 MAY KINDLY BE SET ASIDE AND APPELLANT BE GRANTED EARNED LEAVE OUT OF HIS ACCOUNT AND RE-INSTATED IN SERVICE FROM THE DATE OF DISMISSAL WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respected Sir,

Respectfully the following few lines are submitted for kind consideration and favorable order please:-

1. That on 26-09-2019, while appellant posted at Police Lines, Haripur and performing his official duties fell ill seriously as the appellant having some mental disease quite for some time. Appellant was taken to his house by his colleagues from where he was shifted to his Physician in Hospital by his relatives for medical check-up and treatment. The Doctor after examining and obtaining clinical tests etc of the appellant prescribed medicines and advised him complete bed rest for recovery of his health. This fact was in the knowledge of his officers. Nevertheless the appellant submitted written applications along with copies of medical treatment to the In-charge Police Lines Haripur for grant leave on medical grounds. **(Copies of Clinical Reports/Medical Treatment are attached as "A")**.

2.  
Allied  
Zeeshan Zeb

2. That the appellant was unable to move and join his duties due to severe mental disease and remained confined to bed. As the appellant was under incessant medical treatment of his doctor and could not attend his duties because of his illness. However he kept informed his I/C Police Lines Haripur about his ailing condition and submitted applications to put up before

the competent authority for grant of leave.

3. That because of appellant's bad luck, he had to face a protracted combat against his illness for the years together. Ultimately when he felt his health better to some extent then he approached for reporting his duty but unfortunately he was informed about his dismissed from service with effect from 17-03-2020 thus having no other venue the appellant has to approach your Highness with this departmental appeal.
4. That despite appellant's repeated requests for grant of leave on medical grounds; he was never intimated with regard to rejection of his leave by his officers. In such a situation the appellant was in full satisfaction and expectation for sanction of leave by his officers due to his serious illness.
5. That no proper departmental inquiry was conducted against the appellant. Neither he was issued with a Charge Sheet nor Show Cause Notice before awarding major penalty of dismissal from service. Even the appellant was never provided with the opportunity of personal hearing. The appellant was condemned unheard and principle of natural justice was seriously violated.
6. That the appellant was appointed as Constable in the Police Department in the year 2004 and thus has rendered more than 15 years service. He always performed his official duties with devotion, dedication and honesty and to the entire satisfaction of his officers and never provided them a chance of reprimand. Appellant had meritorious service at his credit.
7. That appellant is the only bread earner of his family consisting upon minor children and old/ailing parents. The appellant is already under financial distress. He had to spend handsome amount on his medical treatment which he took as a Qarz-e-Hasna from his relatives/friends.

Attested  
Zeeshan Zeb

(28)

8. That as the appellant has more than 15 years service, therefore, has sufficient leave balance at his credit. The appellant deserve to be granted Earned/medical Leave out of his Leave Account.
9. That if the appellant is provided with a chance of personal hearing he will really prove his innocence and satisfy your Highness about his constrains which he had to face during his illness.

It is, therefore, earnestly requested that keeping in view the aforementioned facts & circumstances the impugned order dated 17-03-2020 of the District Police Officer Haripur may kindly be set aside and the appellant be granted earned/medical leave, for the period he is treated as absent, out of his leave account and re-instated in his service from the date of dismissal with all consequential service back benefits. Appellant shall always pray for your good health and long life. Thanking you sir in anticipation.

Yours Obedient Servant

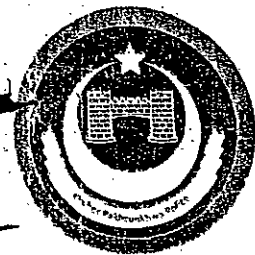
*Zeeshan Zeb*  
(Zeeshan Zeb)  
S/O Aurazeb  
EX-LHC No. 572  
District Police Haripur

ADDRESS:

Village: Darwesh  
Tehsil & Distt: Haripur.  
Cell No.0334-2828422

Dated: 08-04-2020

*Attested*  
*Zeeshan Zeb*



2379

Annex-D

OFFICE OF THE REGIONAL POLICE OFFICER  
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 12873 /PA DATED 05/06/2020

ORDER

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex. LHC Zeeshan Zeb No.572 of District Haripur against the punishment order i.e. *Dismissal from service* awarded by DPO Haripur vide OB No.170 dated 12.03.2020.

Brief facts leading to the punishment are that the appellant while posted at Police Lines, Haripur absented himself vide DD No. 74 dated 26-09-2019 till date of dismissal i.e. 12-03-2020 without any leave or permission.

The appellant was issued charge sheet alongwith summary of allegations and SDPO Ghazi, Haripur was deputed to conduct departmental enquiry. However the appellant failed to join enquiry proceedings. The appellant was called in OR but he did not appear in person before the Competent Authority. Consequently, DPO Haripur awarded major punishment of dismissal from service.

After receiving his appeal, comments of DPO Haripur were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. The punishment awarded to the appellant is too harsh and does not commensurate with the misconduct. Therefore keeping in view his financial position, and in exercise of the powers conferred upon the undersigned under Rule 11-4 (c) of Khyber Pakhtunkhwa Police Rules, 1975 the appellant is hereby reinstated in service while the punishment of Dismissal from Service is converted into Stoppage of 03 years increments with cumulative effect with immediate effect. The period during which the appellant remained out of service and absent may be treated as leave without pay. In addition to this one fact which needs to be further probed is that <sup>in view of</sup> it appears that the appellant suffers from some psychiatric/psychological issues. DPO Haripur is directed to write to Medical Board for his medical examination as to whether the official is fit to continue service with his present mental health or not.

The DPO will be at liberty to take any action as per the opinion of the Medical Board.

rc/DHC  
information  
n/action

2549  
8/6/2020  
12/03/20

Qazi Jamil ur Rehman (PSP)  
Regional Police Officer  
Hazara Region, Abbottabad

DPO No. 12873  
08-06-2020

/PA, dated Abbottabad the 05-06 /2020.

1. The District Police Officer, Haripur for information and necessary action with reference to his office Memo No.2379 dated 23-04-2020. Service Roll and Fuji Missal containing enquiry file of the appellant is returned here-with for record.

Zeeshan Zeb



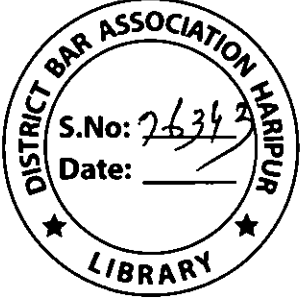
DBA No: 201

S.No: 76343

BC No:

Name of Advocate: محمد اسلم تنوی

وکالت نامہ



بعدالت: محکمہ سیکرٹریٹ ضلع ہری پور  
عنوان: ڈکٹیشن ذریعہ  
منجانب: اسعدیہ ذلیفہ لادیسہ  
نوعیت مقدمہ: سفر ایبل  
باعث تحریر آنکہ:

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصنیف مقدمہ بمقام سرکاری کے لیے  
محمد اسلم تنوی

کو حسب ذیل شرائط پروکیل 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 پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ  
ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا پکھری 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 بختانہ کے واپس کرنے کے بھی صاحب  
موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو  
عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی  
اختیار ہوگا اور اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور  
اس کے ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از پکھری صدر  
اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا قزاقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب  
موصوف کو بشرط ادا سنگی علیحدہ محتانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ  
مزکور یا اس کے کسی جزو کی 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 کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب  
موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے  
برخلاف نہیں ہوگا۔

Acceptance  
M. Aslam

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: 17/07/2020  
دن 17 ماہ 07 سال 2020

محمد اسلم تنوی (سید)

①

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE  
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO.8145/2020

Zeeshan Zeb s/o Aurangzeb, LHC No. 572, District Police Haripur, r/o Village  
Darwesh, Tehsil and District Haripur .

..... (Appellant)

**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar, and others.

..... (Respondents)

**Subject: Reply/comments by respondents No.1, 2 & 3.**

Respectfully Sheweth.

The respondents submit as under:-

**PRELIMINARY OBJECTIONS:-**

1. That the instant Service Appeal is not maintainable in the present form.
2. That the appellant is estopped by his own conduct.
3. That the appellant has not come to the Honorable Tribunal with clean hands.
4. That the appellant has suppressed material facts from the Honorable Tribunal.
5. That the instant Service Appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
6. That the instant Service Appeal is badly barred by law and limitation.
7. That the appellant has filed the instant service appeal just to pressurize the respondents.
8. That the orders passed by the authorities are based on facts & rules, after fulfilling all the codal formalities, hence, the appeal is liable to be dismissed without any further proceeding.

**OBJECTIONS ON FACTS:-**

1. Correct to the extent that appellant LHC Zeeshan Zeb No.572, while posted at police lines Haripur, absented himself from lawful duties without any leave or permission from competent authority. The fact was reported vide daily dairy No.74 dated 26.09.2019, police lines Haripur. (Copy of daily dairy is attached as annexure "A"). The acts and omissions of the appellant were misconduct under Khyber Pakhtunkhwa, Police Efficiency and Discipline Rules 1975. The appellant was issued charge sheet with statement of allegations followed by proper departmental enquiry. (Copy of charge sheet with statement of allegations is attached as annexure "B").

- (2)
2. Incorrect, the appellant did not obtain any leave from the competent authority and committed misconduct by absenting from lawful duties. The appellant is generating false stories. The charges of misconduct were probed against the appellant in which he was held guilty.
  3. Incorrect, the appellant had committed misconduct. Therefore, departmental action was initiated against the appellant and being held guilty of misconduct, he was awarded major punishment of dismissal from service by competent authority.
  4. Incorrect, the appellant neither applied nor granted any leave by the competent authority. He is suppressing material facts from the honorable tribunal. He absented from duties with his own will, therefore, he was proceeded against on charges of misconduct as per law/rules.
  5. Incorrect, proper departmental inquiry was conducted. The appellant was issued charge sheet and statement of allegation. He did not join the inquiry proceedings despite summoned by the inquiry officer. (Copy of summon is attached as annexure "C"). Having fulfilled legal requirements the appellant was awarded major punishment of dismissal from service.
  6. Incorrect, the appellant committed gross misconduct thus he was awarded punishment as per law. Moreover, the appellant was also awarded several punishments on charges of absence from duty during his past service. The appellant does not possess excellent service record.
  7. Incorrect, the leave is not vested right of civil servant, rather it is the discretion of competent authority either to grant or refuse the same. The appellant did not obtain any leave from the senior officer/competent authority and absented himself from lawful duties for a long period.
  8. Incorrect, the appellant filed departmental appeal against the order of punishment before the Regional Police Officer, Hazara Region, Abbottabad, who converted his major punishment of dismissal from service into stoppage of 03 years increments with cumulative effect and period he remained out of service was ordered to be treated as leave without pay vide Regional Police Officer, Hazara Region, Abbottabad order No.12873/PA dated 05.06.2020.
  9. The instant service appeal is not maintainable under the law/rule and the appellant wrong assailed the legal orders of respondent through unsound grounds:-

**GROUNDS:-**

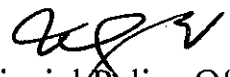
- A) Incorrect, the orders of respondents dated 17.03.2020 and 05.06.2020, are quite legal, based on facts and justice, hence, the orders are lawful and maintainable.
- B) Incorrect, the appellant has been dealt in accordance with law. Proper departmental inquiry was conducted and appellant was awarded punishment on recommendation of inquiry officer. The punishment commensurate with proved charges of misconduct.
- C) Incorrect, the inquiry officer collected and gathered the evidence which proved the guilt of appellant. Moreover, the appellant was summoned by the

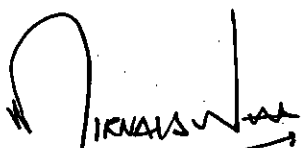
inquiry officer to join the departmental inquiry, but he did not join the departmental inquiry willfully despite service/notice. Hence, all legal requirements were fulfilled while passing punishment order against the appellant.

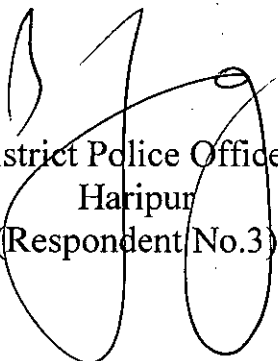
- D) Incorrect, the appellate departmental authority abided by the law and rules and converted the major punishment of dismissal from service into minor punishment of stoppage of 03 years increments with cumulative effects. The period he remained out of service was treated as leave without pay. So, the order of punishment is lawful and maintainable.
- E) Incorrect, the appellant was not interested in his official duties, as he absented without prior leave or permission from competent authority. His absence from duty for a long period showed non seriousness of appellant in official duties. His acts were gross misconduct under the law, which warranted departmental action. Therefore, the order of punishment is quite legal in accordance with law and maintainable.
- F) Incorrect, the service appeal is badly barred by law and limitation and not maintainable under the law/rules.

**PRAYER:-**

In view of above stated facts it is most humbly prayed that the instant service appeal does not hold any legal force, may kindly be dismissed with costs, please.

  
 Provincial Police Officer,  
 Khyber Pakhtunkhwa,  
 Peshawar  
 (Respondent No.1)

  
 Regional Police Officer,  
 Hazara Region,  
 Abbottabad  
 (Respondent No.2)

  
 District Police Officer,  
 Haripur  
 (Respondent No.3)

(4)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE  
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO.8145/2020

Zeeshan Zeb s/o Aurangzeb, LHC No. 572, District Police Haripur, r/o Village  
Darwesh, Tehsil and District Haripur .

..... (Appellant)

**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.

..... (Respondents)

**REPLY TO APPLICATION FOR CONDONATION OF DELAY IN SERVICE APPEAL  
BY RESPONDENTS.**


Respectfully Sheweth:-

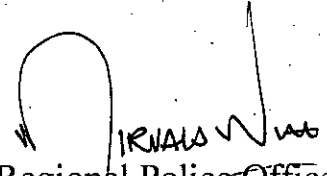
The reply to application for condonation of delay of service appeal on behalf of respondents No. 1,2 & 3, is submitted as under:-

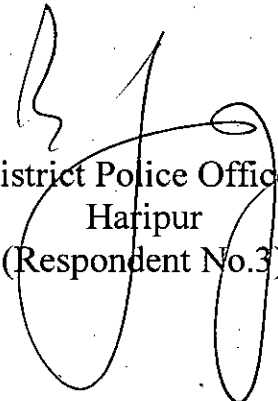
1. In reply to this para, it is submitted that the appellant LHC Zeeshan Zeb No.572, while posted at police lines Haripur, absented himself from lawful duties without any leave or permission from competent authority. The fact was reported vide daily dairy No.74 dated 26.09.2019, police lines Haripur. The acts and omissions of the appellant were misconduct under Khyber Pakhtunkhwa, Police Efficiency and Discipline Rules 1975. Therefore, the appellant was issued charge sheet and statement of allegations by the then District Police Officer, Haripur, vide this office Endst: No. 665-66/PA dated 31.10.2019. Deputy Superintendent of Police, circle Ghazi District Haripur, was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his findings vide his office Memo No.445 dated 04.12.2019, in which the enquiry officer held the charges proved. Therefore, the appellant was awarded lawful punishment of dismissal from service vide OB.No.170 dated 12.03.2020. The appellant file departmental appeal before the Regional Police Officer, Hazara Region, Abbottabad who converted the major punishment of dismissal from service into stoppage of 03 years increments with cumulative effect vide order No.12873/PA dated 05.06.2020. Therefore, the instant service appeal is badly time barred and not maintainable under the law.
2. Incorrect, the appellant did not obtain any leave form the competent authority and committed misconduct by absenting from lawful duties. The departmental authorities proceeded as per law and awarded punishment to the appellant. Hence, the order of punishment is quite legal in accordance with law and maintainable. The appellant has no locus standi to file the instant service appeal.

- ⑤
3. Incorrect, the departmental appellate authority i.e. Regional Police Officer, Hazara Region, Abbottabad converted the major punishment of dismissal from service into minor punishment of stoppage of 03 years increments without cumulative effect vide order No.12873/PA dated 05.06.2020. Consequent upon the instant order of Regional Police Officer, Hazara Region, Abbottabad, The appellant made arrival for duties at Police Liens Haripur, on 08.06.2020, vide daily diary No.30 dated 08.06.2020 of police lines Haripur. Therefore, the instant service appeal is badly time barred being filed after statutory period.
  4. Incorrect, The instant service appeal/application for condonation of delay is not maintainable being badly time barred under the law.

In view of above, it is most humbly prayed that the instant service appeal as well as application for condonation of delay does not hold any legal force, which may kindly be dismissed with cost, please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.1)

  
Regional Police Officer,  
Hazara Region,  
Abbottabad  
(Respondent No.2)

  
District Police Officer,  
Haripur  
(Respondent No.3)

(6)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE  
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO.8145/2020

Zeeshan Zeb s/o Aurangzeb, LHC No. 572, District Police Haripur, r/o Village  
Darwesh, Tehsil and District Haripur .

.....(Appellant)

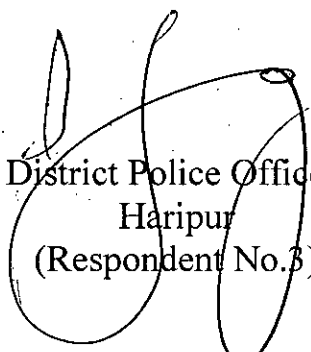
**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar, and others.

.....(Respondents)

**COUNTER AFFIDAVIT**

I, do hereby solemnly affirm and declare, that the  
contents of comments / reply, are true to the best of my knowledge and belief  
and nothing has been concealed from this Honorable Tribunal.

  
District Police Officer,  
Haripur  
(Respondent No.3)

11/10/19

(7)

پولیس ڈپارٹمنٹ

مدرسہ 24 ڈپارٹمنٹ عبدالرزاق خان ایئر لائنز (R) - 26/09/19 وقت 07:55 بجے ڈپارٹمنٹ پولیس لائن  
 تقریباً چیک کر کے ڈپارٹمنٹ پولیس 572 غیر جانبدار سے مددگار لاپس جاری  
 غیر جانبدار پاس ہے اور ایئر لائنز سے لاپس کرنا ہے جس کے لیے  
 پولیس سے جانچ کر لاپس کرنا ہے اور ڈپارٹمنٹ پولیس سے جانچ کر لاپس  
 کرنا ہے جس کے لیے ڈپارٹمنٹ پولیس سے جانچ کر لاپس کرنا ہے  
 یہ سب لاپس کرنا ہے اور ڈپارٹمنٹ پولیس سے جانچ کر لاپس کرنا ہے

جانچ کر لاپس  
 ڈپارٹمنٹ پولیس  
 26-9-19

Sim  
 Forwarded  
 Ri-PL-HPL  
 26-09-19

Received  
 09/10/19  
 10/10/19

Initiate Dep  
 Proceedings now

Signature

جانچ کر لاپس  
 572 ڈپارٹمنٹ پولیس  
 غیر جانبدار سے مددگار لاپس جاری  
 یہ سب لاپس کرنا ہے اور ڈپارٹمنٹ پولیس سے جانچ کر لاپس کرنا ہے  
 } Yes  
 30.10.19

DSO/H  
 29-10-2019

(D)



(2)

**CHARGE SHEET**

(1) I, **Dr. Zahid Ullah, (PSP)** District Police Officer, Haripur as competent authority, hereby charge you **LHC Zeshan Zeb No. 572** as enclosed statement of allegations.

(2) You appear to be guilty of misconduct under Police Efficiency & Discipline Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

(3) You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Committee/Enquiry Officer as the case may be.

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

(5) Intimate whether you desire to be heard in person or otherwise.

(6) A statement of allegations is enclosed.

*Dr. Zahid Ullah, (PSP)*  
District Police Officer  
Haripur

9

**DISCIPLINARY ACTION**

I, **Dr. Zahid Ullah, (PSP)**, District Police Officer, Haripur as competent authority of the opinion that you **LHC Zeshan Zeb No. 572** have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Police Efficiency & Discipline Rules 1975.

**STATEMENT OF ALLEGATION**

“That while you were posted at Police Lines, it has come to the notice of the undersigned vide Daily Diary No. 74 dated 26.09.2019 that you have absented yourself from the legitimate duty without any leave or permission of the competent authority. Your act shows that you are not serious with your official duties, which is gross misconduct on your part in terms of Police Rules 1975, hence charge sheeted.

(2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Officer is nominated.

**Mr. Muhammad Javed, SDPO, Ghazi**


(3) The Enquiry Officer shall in accordance with the provision of this Ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against the accused.

(4) The accused and a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Committee.

**Dr. Zahid Ullah, (PSP)**  
District Police Officer  
Haripur

No: **865-46** /PA, dated Haripur the **31/10** /2019.  
Copy of above is submitted to the: -

- 1) Enquiry Officer for initiating proceedings against the said accused under Police Efficiency & Discipline Rules 1975.
- 2) **LHC Zeshan Zeb No. 572** with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for the purpose of departmental proceedings.

  
District Police Officer,  
Haripur

صدا علی

میں زینت ان کے والد اور ان کے والدین کے ساتھ ساتھ جو کہ ان کے  
پس من والدین کے لئے شہداء کے طور پر سے شہداء کے طور پر سے  
تو ان کے لئے شہداء کے طور پر سے شہداء کے طور پر سے  
مطلوبہ کر رہا ہے۔ اور وہ شہداء کے طور پر سے شہداء کے طور پر سے

لو اور تکریم ولد خان (جو) ان کے والدین کے ساتھ ساتھ جو کہ ان کے  
حفظہ طور پر سے 03342828422  
Harangze - 27/11/19

صدا علی

تو میں شہداء کے طور پر سے شہداء کے طور پر سے شہداء کے طور پر سے  
میں زینت ان کے والد اور ان کے والدین کے ساتھ ساتھ جو کہ ان کے  
پس من والدین کے لئے شہداء کے طور پر سے شہداء کے طور پر سے  
تو ان کے لئے شہداء کے طور پر سے شہداء کے طور پر سے  
مطلوبہ کر رہا ہے۔ اور وہ شہداء کے طور پر سے شہداء کے طور پر سے

Attested  
M. Anis  
Deputy Sheriff of Police  
Ghazi

Salwa  
D. S. Khan  
24-11-19

صدا علی

میں زینت ان کے والد اور ان کے والدین کے ساتھ ساتھ جو کہ ان کے  
پس من والدین کے لئے شہداء کے طور پر سے شہداء کے طور پر سے  
تو ان کے لئے شہداء کے طور پر سے شہداء کے طور پر سے  
مطلوبہ کر رہا ہے۔ اور وہ شہداء کے طور پر سے شہداء کے طور پر سے

10

سرکل غازی

بجانب: ڈپٹی سپرنٹنڈنٹ آف پولیس، سرکل غازی

بجانب: SHO تھانہ غازی


نمبر 420 مورثہ 19-11-20

عنوان: پروانہ اطلاعیاتی

بکاسرکار،

تحریر ہے کہ LHC ذیشان زیب 572 متعینہ پولیس لائن ہری پور کی حسب الحکم افسران بالا محکمہ انکوآری بحوالہ Charge Sheet نمبری 66-665 مورثہ 31.10.2019 زبردستی کو مارک ہوئی ہے۔ لیکن مذکورہ نے تا حال اپنا تحریری جواب داخل دفتر نہیں کیا ہے۔

آپ کو ہدایت کی جاتی ہے کہ بذریعہ DFC تھانہ مذکورہ LHC سے ذاتی تعمیل کر کے مطلع کیا جائے کہ وہ اپنا تحریری جواب Charge Sheet اندر 03 یوم دفتر زبردستی پیش ہو کر جمع کریں۔ بصورت دیگر آپ کے خلاف یکطرفہ محکمہ کاروائی کیلئے تحریر کیا جائیگا۔

  
ڈپٹی سپرنٹنڈنٹ آف پولیس،  
سرکل غازی

11



OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE  
CIRCLE GHAZI, HARIPUR

Ph. # 0995-660265

E-Mail:sdpoghazi@gmail.com

No: 445 Dated 09/12/2019

To: The District police Officer,  
Haripur,

Subject: DISCIPLINARY ACTION AGAINST LHC ZESHAN ZEB NO.572.

Memo: Kindly refer to Charge Sheet No. 665-66 dated 31.10.2019 against  
LHC Zeshan Zeb No.572.

2. Please find attached Inquiry Report, Statement of allegations, charge  
sheet, statements and documents on the subject inquiry in original duly signed.

Muhammad Javed  
Deputy Superintendent of Police/Inquiry Officer  
Circle Ghazi

Enclosed 09 Pages.

0446  
  
District Police Officer  
Haripur

آرڈر شیٹ

انکوائری ازاں LHC ذیشان زیب 572

کیفیت	تفصیل کارروائی	تاریخ	نمبر شمار
	<p>احقر ذیشان زیب چارج 572 میں سے ازاں LHC ذیشان زیب</p> <p>ذیشان زیب 572 میں سے ازاں۔</p>	01-11-18	①
	<p>چارج 572 میں سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p> <p>LHC ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p> <p>ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p>	08-11-2018	②
	<p>احقر ذیشان زیب چارج 572 میں سے ازاں ذیشان زیب</p> <p>ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p>	20-11-2018	③
	<p>احقر ذیشان زیب چارج 572 میں سے ازاں ذیشان زیب</p> <p>ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p>	24-11-18	④
	<p>LHC ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p> <p>ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p> <p>ذیشان زیب کی طرف سے ازاں ذیشان زیب کی طرف سے ازاں ذیشان زیب</p>	04-12-18	⑤

Deputy Supdt. of Police Ghazi

منجانب: ڈپٹی سپرنٹنڈنٹ آف پولیس، سرکل غازی  
بخدمت: جناب ضلعی پولیس آفیسر، ضلع ہری پور

نمبر 445 مورخہ ۱۹/۱۲/۲۰۱۹

عنوان: محکمانہ انکوائری LHC ذیشان ذیب 572

جناب عالی!

بحوالہ مشمولہ چارج شیٹ نمبری PA/66-665 مورخہ 31.10.2019 محکمانہ کارروائی برخلاف LHC ذیشان

زیب 572 متعینہ پولیس لائن ہری پور پرائیویٹ انکوائری ہو کر معرض خدمت ہوں۔

بریف فیکٹس آف دی کیس۔

مذکورہ پر الزام ہے کہ وہ دوران تعیناتی پولیس لائن ہری پور سے بحوالہ مد 74 مورخہ 26.09.2019 اپنی سرکاری ڈیوٹی سے بلا کسی اجازت مجاز اتھارٹی کے بدستور غیر حاضر ہے۔ جس کا یہ فعل کارسکار میں غفلت، لاپرواہی، عدم دلچسپی اور ڈسپلن کی خلاف ورزی پائی گئی۔

انکوائری پروسیڈنگ۔

مذکورہ LHC نے حسب ہدایت 07 دن گزرنے کے باوجود چارج شیٹ میں اپنے خلاف عائد الزامات کے دفاع میں نہ کوئی تحریری جواب پیش کیا اور نہ ہی خود انکوائری پروسیڈنگ کے دوران پیش ہوا۔ مذکورہ کی طلبی کیلئے تحریری پروانہ بھی جاری کیا گیا۔ لیکن تاحال کوئی تحریری جواب وغیرہ داخل نہیں کیا گیا ہے۔ (پروانہ طلبی Annexed-A)

فائنڈنگ۔

۱۔ مذکورہ LHC کو چارج شیٹ جاری ہونے کا ایک ماہ سے زیادہ کا عرصہ گزر گیا لیکن ابھی تک کوئی جواب چارج شیٹ دفتر زیر دستخطی کو پیش ہو کر جمع نہیں کیا گیا۔

۲۔ مورخہ 20.11.2019 کو LHC مذکورہ کی طلبی اور جواب چارج شیٹ جمع کرنے کیلئے تحریری پروانہ جاری کیا گیا کہ وہ پیش ہو کر اپنا جواب جمع کریں۔

۳۔ پروانہ طلبی کی تعمیل بذریعہ DFC تھانہ کروائی۔ جس نے مذکورہ LHC کے گھر جا کر اس کے والد سے تعمیل کروائی۔ جس کے والد نے بتلایا کہ وہ کچھ عرصہ سے ذہنی بیمار ہے۔ تاہم اس کو انکوائری کی نسبت مطلع کر دوں گا۔ (تحریر والد Annexed-B)

۴۔ اطلاع خیالی کے باوجود نہ تو LHC مذکورہ نے پیش ہوا اور نہ ہی اس کے والد صاحب نے زبردست سختی پر پیش ہو کر بیماری کے متعلق

(14)

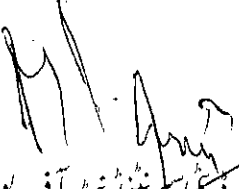
کوئی میڈیکل کاغذات پیش کیے۔

۵۔ دوران انکوائری مذکورہ LHC کے والد سے بذریعہ موبائل فون رابطہ کیا گیا۔ جس نے یہی بات دہرائی کہ میرا بیٹا ذیشان دہی

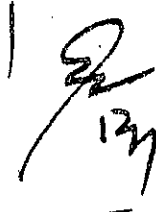
بیمار ہے۔ خودہ ضعیف العمر ہے۔ ہمارے ساتھ علاج معالجہ کیلئے نہ ہسپتال جاتا ہے اور نہ اپنی نوکری پر جاتا ہے۔ اپنے گھر پر ہی پڑا رہتا

LHC ذیشان زبیر 572 دستور غیر حاضر ہے۔ تاہم بمطابق تحریر والد LHC مذکورہ اور درج بالا کی حالات کی روشنی میں

انکوائری رپورٹ مرتب ہو کر بمراد مناسب حکم ارسال خدمت ہے۔

  
ڈپٹی سٹیشن آف پولیس،  
سرکل غازی

Dismissed 12

  
12/3

OB No. 170

12-03-2020



OFFICE OF THE

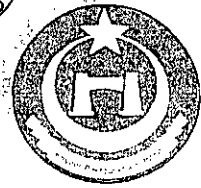
**DISTRICT POLICE OFFICER, HARIPUR**

Ph. # 0995-614712 / 0995-611291

Fax # 0995-614714

Email: - [ohcharipur0995@gmail.com](mailto:ohcharipur0995@gmail.com)

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OB No. \_\_\_\_\_

Dated \_\_\_\_\_ /10/2019.

**ORDER**

LHC Zeshan Zeb No. 572 while posted at Police lines, absented himself from legitimate duty w.e.f 26.09.2019 to till date vide DD. No. 74 dated 26.09.2019 Police lines without any leave or permission, hence his pay is hereby stopped till the further order with immediate effect.

  
District Police Officer  
Haripur

No. 7592-94 /OHC, dated Haripur the 30 /10/2019.

Copy of above is forwarded to the:-

1. District Account Officer, Haripur
2. Pay Officer, DPO Office Haripur
3. PA to District Police Officer, Haripur for departmental proceeding.

①



OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

Ph. # 0995-920100 / 0995-920101

Fax # 0995-614714

E-Mail: dpoharipur1@gmail.com

No. 480

Dated 17/03/2020

ORDER.

LHC Zeeshan Zeb No.572, while posted at Police Lines, Haripur. It came to the notice of the undersigned vide Daily Diary No.74 dated 26.09.2019, that he absented himself from the legitimate duty without any leave or permission from the competent authority. The acts and omissions of defaulter official were misconduct under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rules 1975. Hence, he was charge sheeted, vide this office Endst: No.665-66/PA dated 31.10.2019.

To probe the matter, Deputy Superintendent of Police, Ghazi Mr. Muhammad Javed was appointed as Enquiry Officer, who conducted proper departmental enquiry and submitted his findings, vide his office Memo No. 445 dated 04.12.2019. The charges of misconduct were proved against the accused police official. Therefore, enquiry officer recommended him for major punishment. So, he was called in Orderly Room for personal hearing but he did not appear before the undersigned.

Having perused the finding of the enquiry officer, relevant record, the charges of misconduct are proved against the defaulter police official. Therefore, I, Syed Ashfaq Anwar (PSP), District Police Officer, Haripur being competent authority under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rule 1975, am fully satisfied that LHC Zeeshan Zeb No.572, committed gross misconduct. Therefore, he is awarded major punishment of "DISMISSAL FROM SERVICE" with immediate effect.

Order announced.

Order Book No.170  
Dated 12.03.2020

(Syed Ashfaq Anwar) PSP  
District Police Officer,  
Haripur

Entry made

Muhammad Ali

17/3/2020

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14/3  
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19/3  
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OFFICE OF THE REGIONAL POLICE OFFICER  
HAZARA REGION, ABBOTTABAD

0992-9310021-22  
0992-9310023  
r.rpohazara@gmail.com  
0345-9560687

NO: 12873 /PA DATED 05/06/2020

**ORDER**

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex. LHC Zeeshan Zeb No.572 of District Haripur against the punishment order i.e. *Dismissal from service* awarded by DPO Haripur vide OB No.170 dated 12.03.2020.

Brief facts leading to the punishment are that the appellant while posted at Police Lines, Haripur absented himself vide DD No. 74 dated 26-09-2019 till date of dismissal i.e. 12-03-2020 without any leave or permission.

The appellant was issued charge sheet alongwith summary of allegations and SDPO Ghazi, Haripur was deputed to conduct departmental enquiry. However the appellant failed to join enquiry proceedings. The appellant was called in OR but he did not appear in person before the Competent Authority. Consequently, DPO Haripur awarded him major punishment of dismissal from service.

After receiving his appeal, comments of DPO Haripur were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. The punishment awarded to the appellant is too harsh and does not commensurate with the misconduct. Therefore keeping in view his financial position, and in exercise of the powers conferred upon the undersigned under Rule 11-4 (c) of Khyber Pakhtunkhwa Police Rules, 1975 the appellant is hereby *reinstated in service while the punishment of Dismissal from Service is converted into Stoppage of 03 years increments with cumulative effect* with immediate effect. The period during which the appellant remained out of service and absent may be treated as leave without pay. In addition to this one fact which needs to be further probed is that it <sup>seems</sup> appears that the appellant suffers from some psychiatric/psychological issues. DPO Haripur is directed to write to Medical Board for his medical examination as to whether the official is fit to continue service with his present mental health or not. The DPO will be at liberty to take any action as per the opinion of the Medical Board.

C/OHC  
information  
action  
DPO HR  
No. 12873  
08-06-2020

2549  
8/6/2020  
DPO 33

Qazi Jamil ur Rehman (PSP)  
Regional Police Officer  
Hazara Region, Abbottabad

/PA, dated Abbottabad the 05-06 /2020.

ed  
st  
Date

1. The District Police Officer, Haripur for information and necessary action with reference to his office Memo No.2379 dated 23-04-2020, Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

OB No. 461  
10-06-2020

OHC



**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

No: 1648 /ST Dated: 10 / 06 /2022

Ph:- 091-9212281  
Fax:- 091-9213262

To,

District Police Officer,  
Haripur.

Subject: JUDGMENT IN APPEAL NO. 8145/2020 OF ZEESHAN ZEB VS  
[REDACTED], DPO, HARIPUR.

I am directed to forward herewith a certified copy of Judgement dated 19.04.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As Above.

  
(WASEEMAKHTAR)

REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR