

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 8144/2020

BEFORE: MR. KALIM ARSHAD KHAN, ... CHAIRMAN
MISS FAREEHA PAUL ... MEMBER(E)

Iftikhar Khan, Constable No. 3590 Police Department, Mardan.
.... (Appellant)

Versus

1. The Provincial Central Police Office, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Mardan Range, Mardan.
3. The District Police Officer, Mardan.

.... (Respondents)

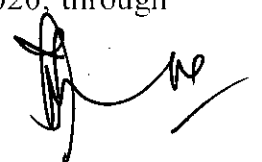
Mr. Shuaib Sultan,
Advocate ... For appellant

Mr. Kabirullah Khattak,
Additional Advocate General ... For respondents

Date of Institution.....03.07.2020
Date of Hearing.....19.10.2022
Date of Decision..... 19.10.2022

JUDGEMENT

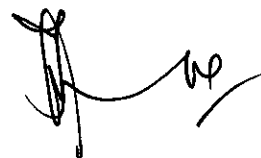
FAREEHA PAUL, MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the order of District Police Officer (Respondent No. 3) as contained in OB No. 2463 dated 14.11.2019, Endorsement No. 8132-35/P.A dated 15.11.2019, order No. 138/ES, dated 03.01.2020 through which appeal of the appellant was rejected and order No. S 2030/20, dated 05.06.2020, through which his revision petition was also rejected.



2. Brief facts of the case, as given in the memorandum of appeal, are that appellant was employed as Constable in Mardan Police at Police Station Par Hoti, District Mardan. During the course of his service, the appellant fell seriously ill due to which he was referred to hospital for proper treatment. The DPO Mardan, Respondent No. 3, awarded the appellant major penalty of dismissal from service vide order bearing Endorsement No. 8132-35/P.A dated 15.11.2019. The appellant preferred representation to Regional Police Officer, Mardan (Respondent No. 2) but the appeal was rejected. The appellant then preferred Revision Petition to the Provincial Police Officer, Khyber Pakhtunkhwa (Respondent No. 1) on 22.01.2019 under Rule- 11(A) of the Khyber Pakhtunkhwa Police Rules, 1975 which was also rejected on 05.06.2020. Feeling aggrieved, the appellant preferred the instant service appeal.

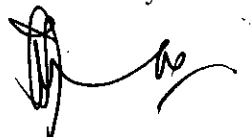
3. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Additional Advocate General and perused the case file with connected documents in detail.

4. Learned counsel for the appellant presented the case in detail and contended that the appellant was not afforded a fair opportunity of personal hearing and was condemned unheard. He further contended that the enquiry was conducted in his absence. Neither he was informed about that enquiry nor his statement was recorded. The appellant was not even supplied with a copy of inquiry report and was kept in dark about the findings of the inquiry. He further contended that absence of the appellant from duty was not willful but due to his serious illness and he was bedridden during that period.



5. The learned Additional Advocate General, on the other hand, contended that performance of the appellant was not satisfactory as he was previously also awarded major punishment of dismissal from service vide order dated 07.07.2017 but was later on reinstated in service and his major punishment of dismissal from service was converted into major punishment of time scale by 03 stages for 03 years by the Appellate Authority vide order dated 26.09.2017. Learned Additional Advocate General informed that due to lethargic attitude of the appellant, his entire service record was tainted with bad entries. He argued that the appellant was supposed to inform his seniors about his illness but he failed to do so and remained absent from his lawful duty without any leave/permission from the competent authority. He further argued that the appellant was issued charge sheet alongwith statement of allegations and inquiry was conducted in which the appellant was contacted several times but he failed to appear before the inquiry officer. Learned AAG requested to dismiss the appeal being badly time barred and not maintainable.

6. From the arguments and record presented before us it transpires that the appellant absented himself from duty without approval of his competent authority. There is no application of the appellant available on the record to indicate that he ever applied for any leave on medical grounds despite the fact that he, being Constable, who is an official of the uniformed and disciplined force, was bound to inform his competent authority about his illness and seek leave from his official duties on medical grounds. Not only seeking/applying for leave would alone be not sufficient but sanction of leave would also be necessary. Record provided with the reply of respondents indicates that his entire service was replete with punishments of different natures including minor punishment of censure, stoppage of increments and extra drill. At many



occasions his absence had been treated as leave without pay. Record further indicates that the appellant was awarded major penalty of dismissal from service in 2017 also which was later on converted into penalty of time scale by three stages for three years.

7. From the above discussion, it is evident that the appellant failed to take into account the Police Rules under which his services were governed and did not bother to apply for leave on medical grounds and absented himself from his lawful duty without getting his leave sanctioned. Hence the appeal, has no merits and is dismissed. Parties are left to bear their own costs. Consign.

8. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 19th day of October, 2022.*



(KALIM ARSHAD KHAN)
Chairman



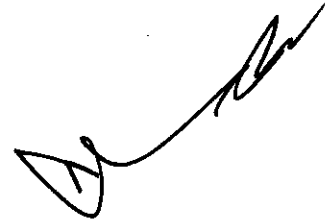
(FAREEHA PAUL)
Member (E)

Service Appeal No. 8144/2020

1. Mr. Shuaib Sultan, Advocate for appellant present. Mr. Kabirullah Khattak, Addl. Advocate General for the respondents present. Arguments heard and record perused.

2. Vide our detailed judgement containing 04 pages, it is evident that the appellant failed to take into account the Police Rules under which his services were governed and did not bother to apply for leave on medical grounds and absented himself from his lawful duty without getting his leave sanctioned. Hence the appeal, has no merits and is dismissed. Parties are left to bear their own costs. Consign.

8. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 19th day of October, 2022.*



(KALIM ARSHAD KHAN)
Chairman



(FAREEHA PAUL)
Member (E)

25th July 2022

Appellant alongwith his counsel present: Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Atta Ur-Rehman, Inspector for the respondents present.

Learned counsel for the appellant has submitted rejoinder on behalf of the appellant. He sought adjournment for arguments. Last chance is given to the learned counsel for the appellant to argue this appeal. To come up for arguments on 19.10.2022 before the D:B.



(Salah-Ud-Din)
Member (J)



(Kalim Arshad Khan)
Chairman

21.10.2021

Appellant in person present:

Mr. Muhammad Rasheed, Deputy District Attorney alongwith
Mr. Khyal Roz Inspector (Legal) for respondents present.

Respondents submitted reply/comments. Request for
adjournment was made on behalf appellant; granted. To come up
for rejoinder if any, and arguments on 01.02.2022 before D.B.



(ATIQ UR REHMAN WAZIR)
MEMBER (E)



(ROZINA REHMAN)
MEMBER (J)

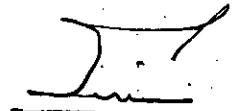
01.02.2022

Appellant in person present. Mr. Abdul Baseer, Inspector
(Legal) alongwith Mr. Muhammad Adeel Butt, Additional
Advocate General for the respondents present.

Appellant requested for adjournment on the ground that
his counsel is not available today. Adjourned. To come up for
arguments on 11.05.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

11-5-22

*Proper DB not available in case is
adjourned on 25-7-22*

*Salah-ud-Din
Raddar*

23.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 16.06.2021 for the same as before.


Reader

16.06.2021

Appellant in person and Mr. Muhammad Rashid, DDA alongwith Khial Roz, Inspector for the respondents present.

Representative of the respondents seeks time to furnish reply/comments. Respondents are directed to submit written reply/comments in office within 10 days positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 21.10.2021 before the D.B.

Stipulated period has passed and reply has not been submitted.


Chairman

P.S

29.06.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

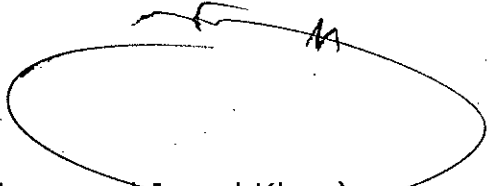

Chairman



09.11.2020

Appellant is present in person.

Since the Members of the High Court as well as of the District Bar Associations, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 26.01.2021 on which date to come up for preliminary hearing before S.B.

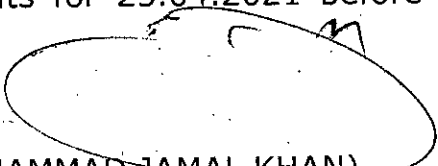

(Muhammad Jamal Khan)
Member (Judicial)

26.01.2021

Appellant is present alongwith his counsel Mr. Shuaib Sultan, Advocate.

To summarize what has been agitated by the learned counsel representing appellant at the bar is that on suffering from a malady he could not attend to his duty in consequence of which departmental proceedings were initiated which resulted into his dismissal from service. He filed departmental representation however, the Regional Police Officer, Mardan Range, Mardan, rejected the same followed by revision petition to the competent authority which also met the same fate necessitating the present service appeal.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 23.04.2021 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)




Appellant Deposited
Security & Process Fee


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 8124 /2020

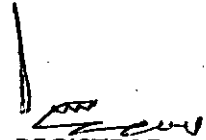
1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/07/2020	<p>The appeal of Mr. Iftikhar Khan resubmitted today by Mr. Shuaib Sultan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	07.09.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07/09/2020</u></p> <p> CHAIRMAN</p> <p>Appellant in person present.</p> <p>An application for adjournment has been submitted by the appellant due to engagement of his learned counsel before Federal Service Tribunal Islamabad.</p> <p>Adjourned to 09.11.2020 before S.B.</p> <p> Chairman</p>

The appeal of Mr. Iftikhar Khan Constable No. 3590 Police department Mardan received today i.e. on 03.07.2020 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copy of departmental appeal having no date be dated.
- 2- Copy of revision petition mentioned in para-vi of the memo of appeal (Annexure-E) is not attached with the appeal which may be placed on it.

No. 1391 /S.T,

Dt. 07-07 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Shuaib Sultan Adv. Mardan.

Sir,

Re-submitted after complianee as desired.


SHUAIB SULTAN
Advocate High Court
District Courts Mardan

BEFORE THE SERVICES TRIBUNAL

PESHAWAR

Appeal No. ~~8124~~ 20

8124/20

Iftikhar Khan Versus..... The D P O & Others

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S No	Description Of Documents	Annexures	Pages
1	Memo of Appeal with Affidavit		1-----3
2	Medical Transcripts	A	4-----20
3	Impugned Order Dated 15.11.2019	B	21
4	Representation	C	22
5	Order Dated 03.01.2020	D and D-1	23 - 23 A
6	Order Dated 05.06.2020	E	24
7	Wakalat Nama		25

Dated- 03-07-2020

APPELLANT

IFTIKHAR KHAN
THROUGH COUNSEL

SHUAIB SULTAN
ADVOCATE
HIGH COURT

300-5727424

SHUAIB SULTAN
Advocate
District Court Peshawar

BEFORE THE SERVICES TRIBUNAL

PESHAWAR

Appeal No. 8144 / 2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6025

Dated 03-07-2020

Iftikhar Khan Constable No. 3590 Police Department Mardan.
Appellant

VERSUS

1. The Provincial Central Police Office, K.P. Peshawar
2. The Regional Police Officer, Mardan Range, Mardan.
3. The District Police Officer, Mardan.

Respondents.

Filed to-day

Services Appeal Under Section -4 of the Service Tribunal Act, 1974
Registrar, 3/7/2020 against the order of DPO / Respondent No. 3, as Contained in (OB No. 2463 dated 14.11.2019) Endorsement No. 8132-35/PA dated 15-11-2019, and the appeal preferred against the said order was dismissed vide No. 138 / ES/ dated Mardan the 03-01-2020 was rejected and the revision petition was also rejected vide No. S 2030/ 20 dated, Peshawar the 05-

Re-submitted to -day
and filed.

06-2020.

Registrar

Respectfully Sheweth,

Facts:

- I. That the Appellant was employed as Constable in Mardan Police at Police Station Par Hoti, District Mardan.

II. That during the course of his service, the Appellant was seriously ill due to which he was referred hospital for proper treatment. (Copies of Medical Transcripts are attached as Annexure "A")

III. That the DPO Mardan, Respondent No. 3 awarded the appellant major penalty of Dismissal from his service as Contained in (OB No. 2463 dated 14.11.2019) Endorsement No. 8132-35/PA dated 15-11-2019.

COPY ANNEXURE - B)

IV. That grieved therefrom, the Appellant preferred Representation to the RPO Respondent No, 2.

(COPY ANNEXURE - C)

V. That the RPO/ Respondent No. 02 rejected the Departmental Appeal of the Appellant.

(COPY ANNEXURE - D) D-1

VI. That the Appellant preferred Revision Petition to the Respondent No. 01 on 22.01.2019, under Rule - 11 (A) of the K.P. Police Rules 1975 (with amendments-2914), which was also rejected vide No. S/ 2030/20 dated Peshawar the 5-6-2020.

(COPY OF REVISION PETITION IS ANNEXURE - E)

VII. That the impugned orders are illegal void and against the Principles of natural justice. Hence the same is liable to set aside and the Appellant is entitled to re-instate with back service benefits with re prospective effect on the following amongst many other grounds.

Grounds:

1. That the Appellate is innocent in the matter. He never absented himself from duty willfully rather he was seriously ill.
2. That the Appellant was not afforded a fair opportunity of personal hearing. Thus he was condemned unheard. The inquiry was conducted in absence, neither any of his statement was recorded nor he was inform about the inquiry.
3. That the appellant was not supplied the copy of Inquiry report and was kept in dark about the findings of the inquiry.

4. That the worthy RPO/ the Appellant Authority, has omitted to consider the defence reply, as well as, in the departmental Appeal; hence, could not reach the justified decision.
5. That the punishment of awarding major penalty is very harsh illegal and void, as the relevant law does not provide so.
6. That the absence of the appellant from his duty was not willful but due to his serious illness, and he was bedridden during that period.
7. That the Appellant reserves the right to claim further grounds also.

It is therefore most humbly requested that on acceptance of the instant appeal, the impugned order of Dismissal from service, as Contained in (OB No. 2463 dated 14.11.2019) Endorsement No. 8132-35/PA dated 15-11-2019, may please be set aside, and appellant may be reinstated into service with all back service benefits.

Any other consequential relief, not specifically prayed for and deemed proper and appropriate by This Honorable Tribunal, under the facts and circumstances of the case, may also be granted to the appellant.

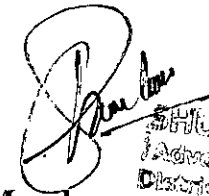
Dated: 03-07-2020

Appellant
Iftikhar Khan



Through:
Shuaib Sultan

Advocate, High Court at Mardan.



SHUAIB SULTAN
Advocate at High Court
District Courts Mardan

AFFIDAVIT

I, **Iftikhar Khan** Constable/ the Appellant, do hereby state on solemn affirmation that the contents of this appeal are true and correct to the best of my knowledge and belief.

Deponent
Iftikhar Khan



A

GS&FO.2969/235, Pads-11.03.15/P4(Z)Form Store Jobs: Med. 2

Medical No. 2 Rs. 10/-

No. OUT-PATIENTS DEPARTMENT

NAME ✓ (L) 1

YEARLY NO. 1824

DATE 21-11-7

No. Rs. 10/-

OUT-PATIENTS DEPARTMENT

NAME

YEARLY NO.

DATE

DISEASE HOF - yesterday

Go pain @ knee

FACE VALUE RUPEES 10/- FACE VALUE RUPEES 10/-

Rx

Tab Amoxiclav
625-8
جيس (6) في 21 + 1

جيس (10)

Tab Capsum
في 5 + 1

CP Essons
في 5 + 1

~~~~~



GS&PD.2069/235-Pads-11.08.15/P4(Z)/Form Store Jobs/Med. 2

Medical No. 2

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OUT-PATIENTS DEPARTMENT

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DATE .....

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YEARLY NO. 2022

DATE 1/16/19

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Medical No.2

Rs. 10/-

Page No: 7

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FACE VALUE RUPEES 10/-

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YEARLY NO .....

DATE .....

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Rs. 10.-

OUT-PATIENTS DEPARTMENT

NAME ..... 139

YEARLY NO ..... 3028

DATE ..... 21/10/20

DISEASE ..... R.T.A

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FACTORY SUPPLIES 10-15 VACUUM RIPPES 100-

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Medical No. 2

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OUT-PATIENTS DEPARTMENT

NAME: / L 201 M

YEARLY NO: 2892

DATE

No.

Rs. 10/

OUT-PATIENTS DEPARTMENT

NAME

YEARLY NO

DATE

DISEASE

FACE VALUE RUPEES 10/-

day L/S spine (28) Digital

200- Calcium Comp

cup Esom 40

14 200- Doxycycline

cup Synes 700P

200- Adomil 180mg

cup C.P.W. W  
by 30 8

MSKPB/2069/236-Parts-11.08.15/P41Z/Form Store Jobs' n 2

Medical No..2

Rs. 10/-

No.

OUT-PATIENTS DEPARTMENT

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YEARLY NO.....

DATE.....

No

Rs. 10/-

OUT-PATIENTS DEPARTMENT

NAME.....

YEARLY NO.....

DATE.....

DISEASE.....

FACE VALUE RUPEES 10/-

dry left knee joint

Medical No. 2

Rs. 10/-

No.

OUT-PATIENTS DEPARTMENT

NAME

*M. K. ...*

YEARLY NO.

*...*

DATE

*30/9*

DISEASE

*...*

FACE VALUE RUPEES 10/-

Page No: 11

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Medical No. 2

Rs. 10/-

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OUT-PATIENTS DEPARTMENT

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YEARLY NO.

*243*

DATE

*7/19*

DISEASE

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*Gel. volt/nl  
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J.R.*

Medical No. 2

Rs. 10/-

No.

OUT-PATIENTS DEPARTMENT

NAME S. H. Khan

YEARLY NO. 1038

DATE 2-9-18

DISEASE Imp. J. S.

FACE VALUE RUPEES 10/-

En. val. h. p. 60

En. b. n. c. 10

J



Medical No. 2

Rs. 10/-

No.

OUT-PATIENTS DEPARTMENT

NAME

*G. K. Choudhary*

YEARLY NO.

*787*

DATE

*11-8-19*

DISEASE

*LM*

*No Nausea*

*Abdominal*

*pain*

*in Epigastrium ✓*

*in Umbilical ✓*

*in Right IL ✓*

*AP  
in del.*

*in Left IL ✓*

FACE VALUE RUPEES 10/-

*Page No. 24*

# Paincare Clinic

Dr. Jamil Anwar

MBBS

Certified Pain Management (CFMP)  
Physician

MPH

PMDC No. 9671 - N

HRA Reg No. 03490

ڈاکٹر جمیل انور

ایم بی بی ایس

سرٹیفائیڈ پین مینجمنٹ (سی ایف ایم پی)

ایم پی ایچ

فزیشن

Name: افتخار Age: Sex: Date:

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Dr. Duro com

Am. Meqazol

Cap. Prelin 50 2459

1/2 start  
A.S.B  
9/6/15

دوبارہ معائنہ بعد

مردان کلینک ناز پلازہ بالقابل و ایڈا کالونی نزد مقام چوک ملاکنڈ روڈ مردان

تخت بھائی کلینک مین بازار ملاکنڈ روڈ تخت بھائی

اوقات کار: پیر تا جمعہ عصر تا عشاء

اوقات کار: بروز ہفتہ صبح 9 تا 2 بجے، عصر تا مغرب

بروز اتوار صبح 9 تا 4 بجے

مردان کلینک: نمبر لینے کیلئے فون کریں  
Cell: 0349-9071488

jamilanwar78@yahoo.com

تخت بھائی کلینک: نمبر لینے کیلئے کلینک تشریف لائیں

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Medical No. 2

Rs. 10/

No.

OUT-PATIENTS DEPARTMENT

NAME..... (Handwritten)

YEARLY NO..... 3950

DATE..... 20-3-51

FACE VALUE RUPEES 10/- FACE VALUE RUPEES 10/-

No.

Rs. 10/

OUT-PATIENTS DEPARTMENT

NAME.....

YEARLY NO.....

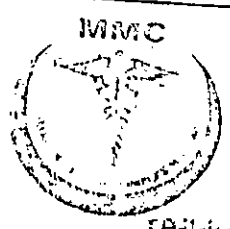
DATE.....

DISEASE.....

To Ram  
42

By  
42

2000



M.M.C. M.M. MARDAN MEDICAL CENTRE  
MARDAN  
Accident & Emergency Service

Name: Ifikhar Age: 25 Yrs  
Address: 219630019771  
Hospital Yearly No: \_\_\_\_\_ Dated: 12-11-2011

Pt Status: Leva m. kaus

Pt. Hist: \_\_\_\_\_

Clinical Examination

Provisional Diagnosis

Investigations Required

R/-  
Patient Status: Yellow  
Priority: Red (U. Ambulance)  
Only Complaint: ...

A. Ujwal Kumar  
1-1-11  
Dr. Enkajide D.  
7-11

Dr. Name: [Signature] Signature: \_\_\_\_\_

POLICE HOSPITAL  
POLICE LINES MARDAN

Page No: 18



O.P.D

P/Name Prichan Date \_\_\_\_\_  
Age \_\_\_\_\_ Sex \_\_\_\_\_ Belt no. 3550

Clinical Record

ACB  
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Tab Ciprofloxacin  
0-0

Tab Flucanazole  
0-0

ORS

≡

Tab Paracetamol  
1-1

Day  
Bed Rest

✓

POLICE HOSPITAL

POLICE LINES MARDAN

O.P.D

Page No 19



P/Name M. Afzal Khan Date \_\_\_\_\_

Age \_\_\_\_\_ Sex \_\_\_\_\_ Belt no. 3550

Clinical Record

KEU

Tab. Ciprofloxacin

0-0

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Tab. Paracetamol

1-1

Day  
Bed Rest

1-1

G5&PD.114866-FS-400 Book of 200 P-04.02.18/DHQ-Morden Jobs/Med. 2

Medical No. 2

Rs. 10/-

No.

OUT-PATIENTS DEPARTMENT

NAME

Officer

YEARLY NO.

15373

DATE

25/3/45

DISEASE

FACE VALUE RUPES 10/-

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Dr. D. C. M.  
JN

Gen. Asst. (10)  
- 21 25 f

Gen. Asst. (10)  
- 175

JN

Pageno:

GS&PD.114/66-F.3-406 Books of 200 P.66.02.1(MHO MerdanJobs/Mar/2)

Medical No. 2

Rs. 10/

No.

OUT-PATIENTS DEPARTMENT

NAME Offikhar

YEARLY NO. 4569

DATE 9/3/78

DISEASE As

FACE VALUE RUPEES 10/-

cl Drank vomits - BP 90/60

inf Flacyll 1000 q  
Novage 1gr in q  
RK 500 1000 pld  
Zanta 500  
Grady  
Tas Grade  
Tas Novidate 500  
Tas Entinamol 125  
9/3/78 7 11, 7 12 13 14 15







Page No: 21

B

OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpo\\_mardan@yahoo.com](mailto:dpo_mardan@yahoo.com)

2019

No: 8/38-35 /PA

Dated 11/11/2019

ORDER ON ENQUIRY OF CONSTABLE IFTIKHAR NO. 3590

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against the subject official, under the allegations that while posted at Police Station Hoti, Proceeded against departmentally through Mr. Shakil Khan SDPO Rural Mardan vide this office Statement of Disciplinary Action/Charge Sheet No.249/PA dated 27-06-2019, on account of absence from duty without any leave/permission of the competent authority vide DD No.10 dated 07-05-2019 till date, who (E.O) after fulfilling necessary process, submitted his Finding Report to this office vide his office letter No.955/R dated 24-07-2019, recommending the alleged official for major punishment.

In this connection, the alleged official was served with a Final Show Cause Notice, under K:P Police Rules-1975, issued vide this office No.238/PA dated 19-08-2019, to which, his reply was received & found un-satisfactory.

Final Order

Constable Iftikhar was heard in O.R on 10-11-2019, but failed to submit any plausible reasons in his defense, therefore awarded him major punishment of dismissal from service with effect from 07-05-2019 with immediate effect, in exercise of the power vested in me under Police Rules 1975.

OB No. 2463

Dated 14/11/2019

(SAJJAD KHAN) PSP  
District Police Officer  
Mardan

Copy forwarded for information & n/action :-

1. The SDPO City Mardan.
2. The DSP/HQrs: Mardan.
3. The P.O & S.C (Police Office) Mardan.
4. The OSI (Police Office) Mardan with ( ) Sheets.

DT: 26/11

En: medical Report

RA Mard  
25/11/19

SHUAB KHILAN  
Advocate High Court  
District Courts Mardan

درخواست بغیر الزام کے کہ نیشنل اسپتال افتخار خان بدک میں  
شہید بیمار کے بارے میں ایسی ہی میں کا رول کے نیشنل اسپتال میں ہے

مذکورہ سیکشن میں میں نے نیشنل اسپتال میں سات مہینے بیماری میں میں نے  
اور علاج کے معاملے کے سلسلے میں نیشنل اسپتال میں وقت فراہمی DHQ

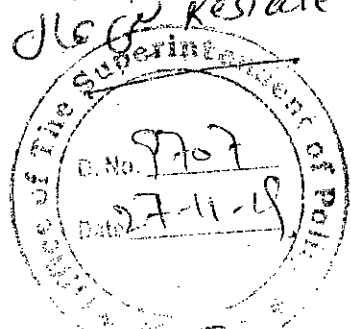
نیشنل اسپتال اور پولیس اسپتال پولیس اسٹیشن سردان چارباگ میں  
ڈاکٹر نیشنل کے بارے میں پتہ نہ دے سکے نہ یہ کہیں کے نیشنل میں ہے  
مذکورہ سیکشن میں نیشنل کے بارے میں سرٹیفکیٹ ساتھ لف میں

جو نیشنل کی غیر فاضلی میں وہ بیماری میں جو کہ نیشنل کی absence  
کے متعلق ہیں۔ اور نیشنل کے Habitual absent کے متعلق ہیں۔

دوسری بات یہ ہے کہ نیشنل کے گھر کا واحد فرد ہے اور گھر کے سارے اخراجات نیشنل  
کے Salaries سے ادا ہوتے ہیں۔ نیشنل کے Education Activity کے اخراجات میں نیشنل کے ذمے ہیں  
اور اس کے ساتھ ہی نیشنل کے قرضوں میں ڈوبا ہوا ہے۔

نیشنل کے اخراجات یا بلاں ضروری درخواست رقم کے بارے میں میں نے  
نیشنل کے بارے میں دوبارہ Resiate میں فعال رہے اور نیشنل کے ذمے ہیں

Dsp Legal - Comments



1668  
99-  
الفارسی  
نام - افتخار خان عمر 359  
DIST - MARDAN  
Police station - SARA

cont # 03159633750  
0333-9033095

DR/MR  
26/11  
25/11/019

**ORDER.**

This order will dispose-off the departmental appeal preferred by **E. Constable Iftikhar No. 3590**, of Mardan District Police against the order of District Police Officer, Mardan, whereby he was awarded major punishment of dismissal from service vide OB No. 2463 dated 14.11.2019. The appellant was proceeded against departmentally on the allegations of his willful absence from his lawful duty vide daily diary No.10 dated 07.05.2019 Police Station Par Hoti District Mardan till date of his dismissal.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Mr. Shakeel Khan the then DSP/Rural, Mardan was nominated to conduct Enquiry into the matter, who submitted his finding wherein he recommended the delinquent official for major punishment.

He was issued Final Show Cause Notice to which, his reply was received and found unsatisfactory. He was also provided opportunity of self defense by summoning him in the orderly Room by the District Police Officer, Mardan on 12.11.2019, But he failed to advance any cogent reasons in his defence, therefore he was awarded major punishment of dismissal from service with effect from 07.05.2019.

Feeling aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 31.12.2019.

From the perusal of the enquiry file and service record of the appellant, it has been found that the delinquent official has been showing irresponsible attitude in utter disregard of the discipline of the force. He could not present any cogent justification for such long absence from duty. Besides the above, the present appellant was earlier dismissed from service vide OB: No. 1553 dated 07.07.2017 on the same allegations who was later on re-instated into service by the then AIG Establishment Khyber Pakhtunkhwa, Peshawar and the punishment of dismissal from service was converted into major penalty of time scale by 03 stages for 3 years. But the appellant did not bother to mend his ways. Rather he repeated the same misconduct which is sheer violation of norms of a disciplined force.

Keeping in view the above, **I, Sher Akbar, PSP S.St Regional Police Officer, Mardan**, being the appellate authority, finds no substance in the appeal, therefore, the same is rejected and filed being devoid of merit.

**Order Announced.**

  
Regional Police Officer,  
Mardan.

No. 138 /ES, Dated Mardan the 03-01- /2020.

Copy forwarded to District Police Officer, Mardan for information and

Annexure: "D/I"

صاحب عالی

ADVISED

SHUMS SULTAN  
Advocate High Court  
District Courts Mardan

درخواست بغور التزم ہے کہ نیشنل اعتدافان بلٹ

نمبر 3590 شہید بیمار ہے چونکہ بیماریاں ایسی ہی جیسی ہیں وہم سے نیشنل کونسل

کے نمبر 3590 مقرر ہو رہی ہیں جس سے نیشنل کونسل کے ساتھ ساتھ ہی میں بیمار ہیں

مثلاً رقم اور علاج کے سلسلے میں نیشنل DHA نیشنل نئی خدماتی DHA

نیشنل مردان اور پورے نیشنل پر کسے لائی مردان جا پارٹ ہے لیڈر ڈاکٹر نیشنل  
کے بارے میں رائے دینے کے لیے کہ یہ سبب سے نیشنل کونسل میں مقرر ہو چکے ہیں۔

نیشنل کے ساتھ ساتھ سرٹیفیکٹ ساتھ ساتھ ہے۔

چونکہ نیشنل کی غیر فاضلی ہی وہم بیماریاں ہی جو کہ نیشنل کی absence موجود

ہیں۔ اور نیشنل Habitual غیر فاضلی کا شکار ہیں۔

دوسری بات یہ ہے کہ نیشنل رقم کا واحد ضروری اور رقم کے ساتھ ساتھ نیشنل

Salary سے ادا نہیں ہے۔ مزید یہ کہ نیشنل Salary سے دوپہن اور آب

ہائی Education Activities کے اخراجات جو نیشنل کے وقت ہے۔

جو کہ Salary نہ میرا ہی وہم سے نیشنل یاؤں کے لئے فرض میں دیا گیا ہے۔

نیشنل اخراجات یاؤں کے لئے فوراً درخواست رقم کے بارے میں پیش کرنا ہے کہ نیشنل

رقم کو دوبارہ Restate میں بحال کرنے کے لئے منظور فرمائے۔

الفارص

نام: افتخار خان نمبر 3590

Dist: - MARDAN

Police station: - SAROSHAN

عین وزارت میں تاریخ 6/1/020

Contact # 0359633750  
0333-9033095



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Page No: 24

No. S/ 2030 /20, dated Peshawar the 05/06/2020.

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 Iftikhar No. 3590. The petitioner was dismissed from service w.e.f 07.05.2019 by District Police Officer, Mardan vide OB No. 2463, dated 14.11.2019 on the allegations of absence from duty w.e.f 07.05.2019 till date of dismissal from service i.e. 14.11.2019 for total period of 06 months & 07 days. His appeal was rejected by Regional Police Officer, Mardan vide order Endst. No. 138/ES, dated 03.01.2020.

Meeting of Appellate Board was held on 20.05.2020 wherein petitioner was heard in person. During hearing petitioner contended that he was ill.

Perusal of record shows that he was earlier dismissed from service in 2017 for absence from duty for over 05 months. He is habitual absentee and there is no prospects of mending his ways. The Board see no ground and reasons for acceptance of his petition, therefore, the 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/ 2031-37 /20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. One Service Roll and one Fauji Missal of the above named Ex-FC received vide your office Memo. No. 2192-93/ES, dated 26.02.2020 is returned herewith for your office record.
2. District Police Officer, Mardan.
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. ZAHID ULLAH) PSP  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

# WAKALAT NAMA

## SERVICE TRIBUNAL, BEFORE THE PESHAWAR HIGH COURT/ PESHAWAR


IFTIKHAR KHAN

Petitioner  
Appellant


VERSUS

The Provincial Central Police office Respondents  
K.P. Peshawar and others

I/ we Appellant in  
the above noted Service Appeal do hereby appoint and  
constitute Mr. Shuaib Sultan Advocates Mardan as Counsel in subject  
proceeding and authorize him to appear, plead etc., compromise, withdraw or refer  
to arbitration for me/ us, as my/ our Advocate in the above matter, without any  
liability for his default and with the authority to engage/ appoint any other  
Advocate/ Counsel at my/ our behalf all sums and amounts payable to deposited on  
my/ our account in the above noted matter.

  
SHUAIB SULTAN  
Advocate High Court  
District Courts Mardan

Shuaib Sultan Advocate High Court  
District Courts Mardan  
Cell No. 0300-5727424  
Email. shuaibadv@gmail.com  
Bar Council, S. No.Bc-10-5973

Signature of client: 

Dated: 03-07-2020

Service Tribunal

...

The Provincial Central Police Officer  
at the Police Station and other

...

...

BEFORE THE SERVICES TRIBUNAL.

Aftikhar Khan

Versus

Provincial Police<sup>etc.</sup>

Subject: Application for adjournment:

Respectfully Sheweth,

It is submitted that the Council of the Appellant is busy before the Federal Services Tribunal, Islamabad in case title Rabnawaz versus Pakistan Railway.

It is requested that the above caption appeal may ~~be~~ adjourn for next date.

Submitted by  
Appellant Counsel.

Date: 07-09-2020.

SHUAIB SULTAN.



SHUAIB SULTAN  
Advocate High Court  
District Courts Mardan



1870

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**"B"**

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

No.

Appeal No. 214/1 of 20 20

if tikhat Khan Appellant/Petitioner

Versus

The P.P.O. K.P.K. Peshawar Respondent

Respondent No. 2

Recd

Notice to: —

The Regional Police Officer  
Mardan Range Mardan

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 23/6/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 3<sup>th</sup>

Day of Feb 20 21



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.

No. 11

For Insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Postal Guide or on which no  
acknowledgment is required.

8144/25  
Rs. 105

RGL53927291

Received a registered\*  
addressed to \_\_\_\_\_

Date-Stamp

\*Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Initials of Receiving Officer \_\_\_\_\_  
(in words)

Insured for Rs. (in figures) \_\_\_\_\_ (in words) \_\_\_\_\_

Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ (in words) } Weight } Kilo  
Grams

Name and address of sender: M. Rajan

**C**

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

**Service Appeal No. 8144/2020**

Iftikhar Khan Constable No.3590 Police Department  
Mardan.....

Appellant

**VERSUS**

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar & others

..... Respondents

**INDEX**

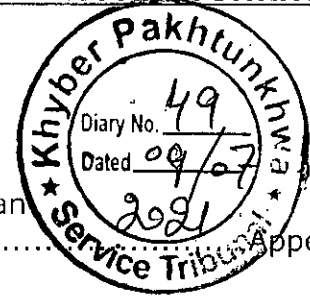
| <b>S. No.</b> | <b>Description of Documents</b>             | <b>Annexure</b> | <b>Pages.</b> |
|---------------|---------------------------------------------|-----------------|---------------|
| 1.            | Copy of Written Reply.                      | ---             | 1-3           |
| 2.            | Copy of Affidavit.                          | ---             | 4             |
| 3.            | Copy of bad entries & Dismissal order       | A & B           | 5-13          |
| 4.            | Copy of DD report No.10 dated<br>07.05.2019 | C               | 14            |
| 5.            | Copy of Charge Sheet etc                    | D & E           | 15-23         |
| 6.            | Copy of Authority Letter.                   | ---             | 24            |

**C**      **کورٹ**      **1**

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

**Service Appeal No. 8144/2020**

Iftikhar Khan Constable No.3590 Police Department Mardan



Appellant

**VERSUS**

The Provincial Central Police Office, Khyber Pakhtunkhwa, Peshawar & others

Respondents

**Para-wise comments by respondents:-**

**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS**

1. That the appellant has not approached this Hon'ble Tribunal with clean hands.
2. That the appellant has concealed the actual facts from this Hon'ble Tribunal.
3. That the appellant has got no cause of action or locus standi to file the instant appeal.
4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
5. That the appeal is unjustifiable, baseless, false, flawless and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
6. That the Hon'ble Tribunal has no jurisdiction to adjudicate the matter.

**REPLY ON FACTS**

- I. Correct to the extent that the appellant was employee of Police Department, however, his performance is not satisfactory as previously he was awarded major punishment of dismissal from service vide order book No. 1553, dated 07.07.2017 who was reinstated into service and his major punishment of dismissal from service was converted into major punishment of time scale by 03 stages for 03 years by the appellate authority through order No. S/6134-41/17 dated 26.09.2017. Moreover, the perusal of service record of the appellant revealed that due to his lethargic attitude his entire service record is tainted with bad entries (Copy of list of bad entries with dismissal order are attached as annexure "A & B").
- II. Incorrect. Stance taken by the appellant is baseless, because he was supposed to inform his seniors about his illness but he failed to do so nor he submitted any application for medical leave and remained absent from his lawful duty without any leave/permission from the competent authority vide DD report No. 10 dated 07.05.2019 (copy of DD report is attached as annexure "C"). Therefore, the appellant was issued Charge Sheet with

statement of allegation and enquiry was entrusted to the then DSP Rural Mardan who during the course of enquiry, the appellant was contacted time and again to appear before the enquiry officer but he did not bother to appear before the Enquiry Officer. Therefore, Enquiry Officer after fulfilling all legal and codal formalities, held the appellant responsible of misconduct and recommended him for major punishment. The competent authority issued Final Show Cause Notice to appellant to which reply was received but found unsatisfactory and he was also called in Orderly Room on 12.11.2019 but he failed to produce any plausible reasons in his defense, hence he was awarded major punishment of dismissal from service, which does commensurate with the gravity of misconduct of appellant.

- III. Correct to the extent that appellant was awarded major punishment of dismissal from service due to his absence from lawful duty.
- IV. Correct needs no comments.
- V. Correct to the extent that the appellant preferred departmental appeal which was also decided on merit because the appellant was provided full-fledged opportunity of defending himself by the appellate authority but he bitterly failed to produce any cogent reason in his defense. Therefore, the same was rejected and filed being devoid of any merit.
- VI. Correct to the extent that the appellant preferred revision petition under Rule 11-A KP Police Rules 1975 as amended 2014 to the Inspector General of Police Khyber Pakhtunkhwa Peshawar. The revisionary authority also provided full-fledged opportunity to the appellant for defending himself but this time too he failed to justify his innocence. Therefore, the same was rejected.
- VII. Incorrect. Order passed by the competent authority as well as the appellate authority are legal, lawful hence, liable to be maintained. Because, appeal of the appellant is liable to be dismissed on the following grounds amongst the others.

**REPLY ON GROUNDS:**

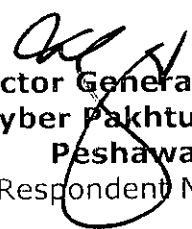
1. Incorrect. Stance taken by the appellant is baseless, because he was supposed to inform his seniors about his illness but he failed to do so nor submitted any application for medical leave and remained absent from his lawful duty without any leave/permission from the competent authority.
2. Incorrect. Stance taken by the appellant is totally devoid of merit because he has been properly proceeded against departmentally by issuing him Charge Sheet with Statement of Allegations. However, during the course of enquiry, the appellant was contacted time and again to appear before the enquiry officer but he did not bother to appear before the Enquiry Officer. Therefore, Enquiry Officer after fulfilling all legal and codal formalities, held the appellant responsible of misconduct and recommended him for major

punishment. The competent authority issued Final Show Cause Notice to appellant to which reply was received and found unsatisfactory and he was also called in Orderly Room on 12.11.2019, but he failed to produce any plausible reasons in his defense, hence he was awarded major punishment of dismissal from service which does commensurate with the gravity of misconduct of appellant (Copy of charge sheet with statement of allegations and Final Show Cause Notice are attached as annexure "D & E").

3. Incorrect. Stance taken by the appellant is not plausible hence no comments.
4. Incorrect. That appeal of the appellant was decided on merit and full-fledged opportunity was provided to the appellant for defending himself, but he bitterly failed to produce any cogent reason in his defense. Therefore, the same was rejected and filed being devoid of any merit.
5. Incorrect. Order passed by the competent authority is legal, lawful hence, liable to be maintained
6. Para pertains to personal information of the appellant needs no comments.
7. The respondents also seek permission of this honorable tribunal to adduce additional grounds at the time of arguments.

**PRAYER:-**

Keeping in view the above facts narrated facts it is most humbly prayed that the appeal of the appellant being badly barred by law and limitation may kindly be dismissed with costs please.

  
**Inspector General of Police,  
 Khyber Pakhtunkhwa,  
 Peshawar.**  
 (Respondent No. 01)

  
**Regional Police Officer,  
 Mardan.**  
 (Respondent No. 02)

  
**District Police Officer,  
 Mardan.**  
 (Respondent No. 03)

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

**Service Appeal No. 8144/2020**

Iftikhar Khan Constable No.3590 Police Department Mardan  
.....Appellant

**VERSUS**

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar & others  
.....Respondents

**COUNTER AFFIDAVIT**

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal.



A-07-21

*[Signature]*  
**Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)

*[Signature]*  
**Regional Police Officer,  
Mardan.**  
(Respondent No. 02)

*[Signature]*  
**District Police Officer,  
Mardan.**  
(Respondent No. 03)



Serial No.

14. COMMENDATORY ENTRIES

Serial No.

1-12-13 RS:- 6700/PM  
 1-7-15 RS:- 8625/PM  
 1-12-15 RS:- 9025/PM  
 1110/PM ✓  
 1-7-16 RS:- 11530/PM ✓  
 1-12-16 RS:- 13760/PM ✓  
 1-7-17 - RSC-  
 District Police Officer

...merely awarded ...  
 ...with immediate ...  
 ...under policy

... No 2558  
 28/10/16  
 Pay upgraded from B-5 to 7  
 and pay fixed Rs. 14000 p.m.

Office ... General  
 Khv ...  
 Pay fixed ...  
 Adj ... 2400/2200  
 Pay ... 5400/ ...  
 R B P ... 69853407/850  
 Pay ... 8300  
 Date ... 01 12-2015

②

(Continued)

(Continued)

Serial No.

14. COMMENDATORY ENTRIES - Contd.

ORDER

He is hereby awarded minor punishment of Confinement while his absence period is treated as leave with out pay under Police Rules - 1975

OB No. 2829

22-11-16

*[Signature]*  
District Police Officer  
Mardan

ORDER

Awarded him major punishment of Dismissal from Service with effect from 18-01-2017 with immediate effect under Police Rules 1975.

OB No. 1553

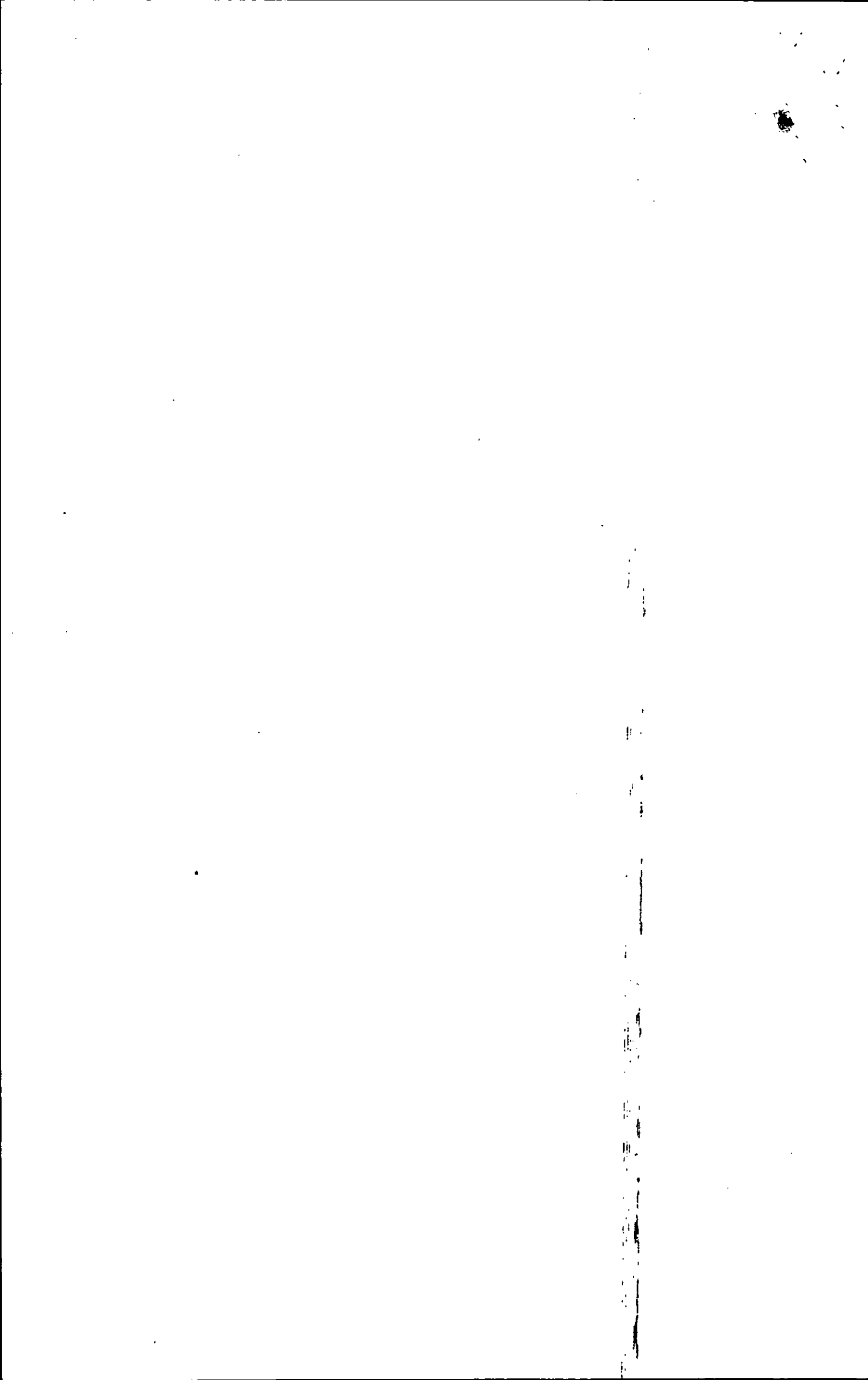
7-7-17

*[Signature]*  
District Police Officer  
Mardan

ORDER

Appcal is Rejected by D.I.G Mardan vide his office Endstg No. 6202/ES, dt, 10-8-2017.

*[Signature]*  
District Police Officer  
Mardan



Serial No.

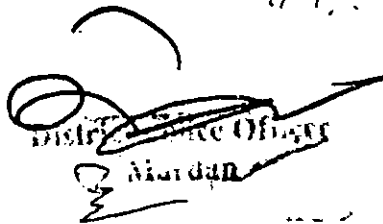
14. COMMENDATORY ENTRIES - Cond.

Serial No.

ORDER

The Board decided that the petitioner is hereby re-instated in service and penalty of dismissal from service is converted into a major penalty of time scale by 03 stages for 03 years. However, the intervening period including period of absence from duty shall be counted towards service but not on duty. He will not be entitled for any kind of financial benefits including monthly salary for the said period vide IGP KPK order Endstr. No. 6135-41/12 dt. 26-09-2017. Pay fixed Rs. 12260/- p.m. 11760

CB No. 2228  
 Dt. 27.9.17.

  
 District Officer  
 Miranpur

(4)

(Co

to H/O/RS J

CHARACTER ROLL OF

15. CENSURES AND PUNISHMENT

Serial No.

Page No.

MF-56

02/5/2018

Drawn away Rs=57187/-  
on acc of Pay & Allowance.

27-9-17 to 30-11-2017,

less- GPF-890, RBSDC-690,

Net Rs=55607/-

M/S 15/18

Distt. Comptroller of Assoc.  
Mardan

ORDER:-

Awarded a minor punishment  
of stoppage his one increment  
without cumulative effect & count  
(16) days absence's period as  
leave without pay with immediate  
effect.

OB No. 933

29-4-19

DPO/Mardan

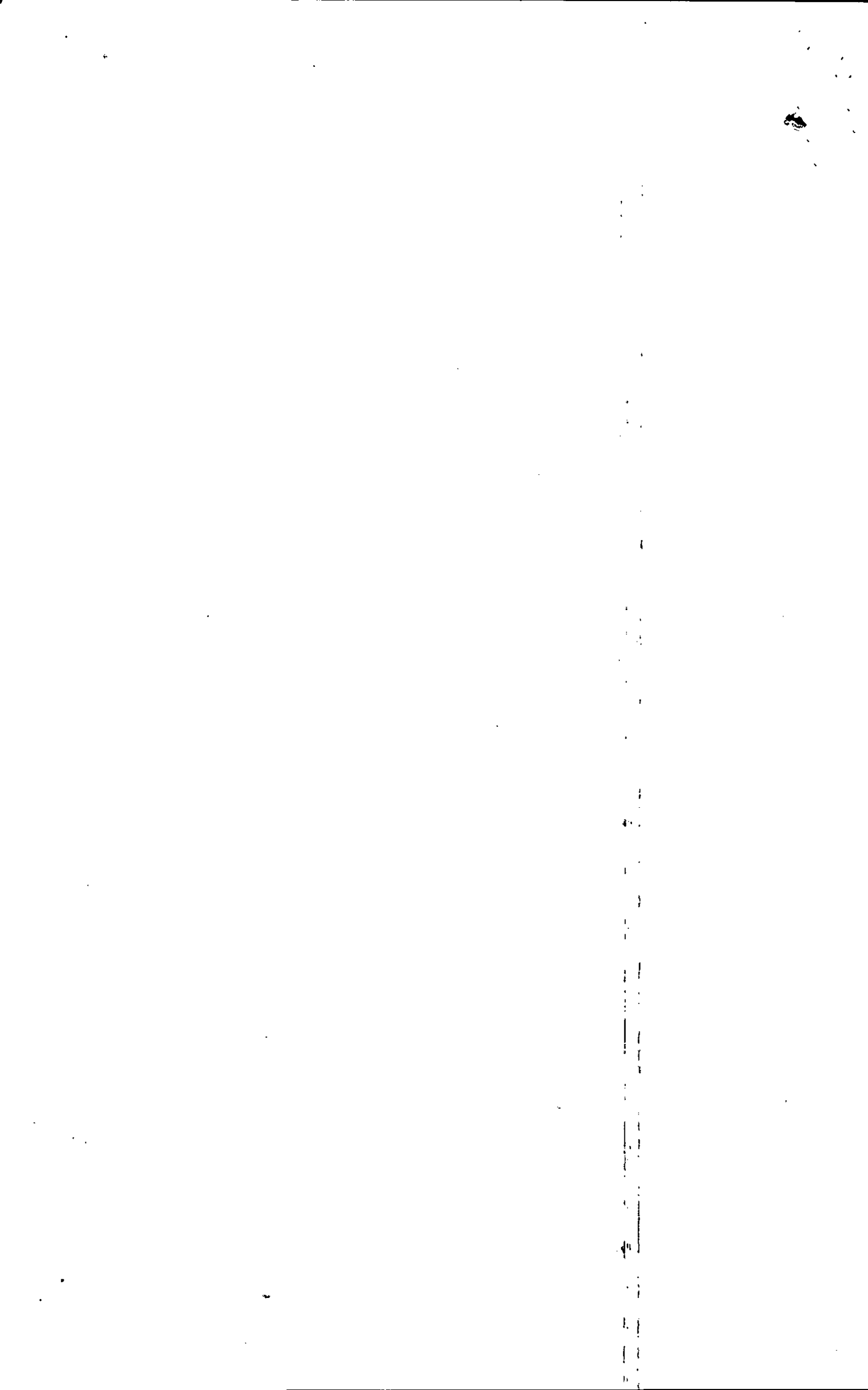
ORDER:-

Awarded a minor punishment of censure  
to be care-free in future with counting  
his (25) days absence's period as  
leave without pay.

OB No. 1120

22/5/19

DPO/Mardan



(5)

Serial No.

15. CENSURES AND PUNISHMENTS - Contd.

Serial No.

Awarded minor punishment by stopping his one increment without cumulative effect with counting his (35) days absence's period as leave w/o pay.

OB No. 1188  
29.5.19

JK  
DPO/Marden

ORDER

Dismissed from Service

OB No. 2465  
14.11.18

DPO/Marden

ORDER:-

Appeal was rejected by DIG Marden vide order Exdt No. 138/19 dated 03-01-2020

JK

DPO/Marden

ORDER:-

Appeal was rejected by Addl IG Hqs Patna vide order Exdt No. 2031-37/20, dt. 05/06/2020 and DIG Marden Exdt No. 305/19, dated 15/06/2020.

DPO/Marden

(Continued) CHARACTER ROLL OF

(Continued)

Serial No.

15. CENSURES AND PUNISHMENTS - Contd

(2) days extra duty for late arrival

Apr 20 5  
12 17 010

14

1

119

120

121

122



CHARACTER ROLL OF

15. CENSURES AND PUNISHMENTS-- Contd.

Serial No.

1 day extra drill for his absence

CB No. 2215  
22-9-11

DPo/MRD

1 day extra drill for his absence.

CB No. 403  
13-2-17

DPo/MRD

1 day extra drill for his absence.

CB No. 403  
13-2-17

DPo/MRD

Extra drill awarded for his absence

CB No. 1794  
18/10/18

DPo/MRD

1

DATE

From

16. LEAVE, ABSENCE AND BREAKS IN SERVICE

(Continued)

All periods not counting as "approved service" to be entered in red ink

(8)

D  
DP/1/12  
ice.  
DP/1/12  
low  
RP

| 1<br>DATE |    | 2<br>EXTENT |        |      | 3                                    | 4                                                                                                                                                                                     |
|-----------|----|-------------|--------|------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| From      | To | Years       | Months | Days | No. of District Order                | Description of leave, i.e. Privilege, hospital, sick leave, or furlough of or of absence, or forfeiture or approved service. All entries to be initialed by Superintendent of Police. |
|           |    |             |        | (3)  | 574<br>31-3-15                       | leave w/o pay - DP/1/12                                                                                                                                                               |
|           |    |             |        | (2)  | 1145<br>30-6-15                      | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (2)  | <del>215</del><br><del>12-2-15</del> | extra duty - DP/1/12                                                                                                                                                                  |
|           |    |             |        | (3)  | 674<br>14-3-16                       | leave w/o pay - DP/1/12                                                                                                                                                               |
|           |    |             |        | (2)  | 733<br>24-3-16                       | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (5)  | 795<br>27-3-16                       | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (4)  | 6570<br>25-4-16                      | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (11) | 1074<br>28-4-16                      | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (2)  | 1260<br>12-5-16                      | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (1)  | 29<br>4-01-17                        | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (11) | 403<br>13-2-17                       | do - DP/1/12                                                                                                                                                                          |
|           |    |             |        | (1)  | 115<br>5/1/18                        | do - DP/1/MRD                                                                                                                                                                         |
|           |    |             |        | (07) | 233<br>29-1-19                       | do - DP/1/MRD                                                                                                                                                                         |

2.1/1/12

leave w/o pay - DP/1/12

do - DP/1/12

do - DP/1/12

do - DP/1/12

do - DP/1/12

do - DP/1/12

do - DP/1/12

do - DP/1/MRD

do - DP/1/MRD

(9.)  
P.B.



**OFFICE OF THE  
DISTRICT POLICE OFFICER  
MARDAN**

Tel: 0937-9230109  
Fax: 0937-9230111  
Email: [dpo\\_mardan@yahoo.com](mailto:dpo_mardan@yahoo.com)  
Facebook: District Police Mardan  
Twitter: @dpomardan

No. 6698-6702-PA

Dated 7/7/2017

**ORDER ON ENQUIRY OF CONSTABLE IFTIKHAR NO.3590**

This order will dispose-off a departmental enquiry under Police Rules 1975, initiated against the subject Police Official, under the allegations that while posted at Police Station Sher- Garh, faced departmentally through Inspector Ikhtiraz Khan, Acting DSP/HQrs Mardan vide this office Disciplinary Action No. 2521-22/PA dated 09.03.2017 on account of absence from duty without any leave/permission of the competent authority vide DD No. 39 dated 18.01.2017 till-date, who after fulfilling necessary process, submitted his Finding Report to this office vide his office letter No. 329/HQrs dated 10.04.2017, holding responsible the alleged official for allegations leveled against him & recommended for major punishment of dismissal.

**Final Order**

Constable Iftikhar of PS Shergarh was heard in OR held at Police Lines on 04.07.2017, during which, he has no plea to offer in his defense, therefore, awarded him major punishment by dismissing from Police Force with effect from 18.01.2017 with immediate effect, in exercise of the power vested in me under P.R 1975.

O.B No. 1553

Dated 7/7/2017.

**District Police Officer,  
Mardan.**

Copy forwarded for information & n/action to:-

1. The Deputy Inspector General of Police Mardan Region-I, Mardan, please.
2. The SP/Operations Mardan.
3. The SDPO Takht-Bhai & DSP/HQrs: Mardan.
4. The P.O & E.C (Police Office) Mardan.
5. The OSI (Police Office) Mardan with ( ) Sheets.

دفعہ 10 روزانہ 7/5/19

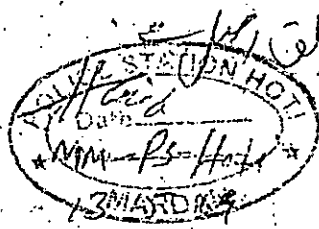
(150)

1

عمر 30 برس غیر ملکی موبائل سوان ASI وقتاً 3:22 بجے 7/5/19 ایسی وقت  
 کیل افکارہ 359 کی موبائل سوان کی موبائل ڈیٹا کو اس وقت اول گائی گئی  
 تھی مذکورہ موبائل کیل ان اور حدود تھانڈہ میں تھانڈہ کی موبائل ممبر مذکورہ کیل ممبر  
 یو جی کے گھر موجود تھا لیکن ممبر کیل کے خلاف رپورٹ غیر ملکی ممبر  
 روزانہ 7/5/19 کی دفعہ علیحدہ ممبر کے لئے نہیں مناسب کارروائی امرانہ  
 کی صورت ارسال کی جائے گی

جناب عالی!

نقل بمطابق



مذکورہ کیل 7/5/19 کو ممبر نے  
 ممبر کے لئے ممبر کے لئے ممبر کے لئے

SHO PS HO  
 17-5-2019

ممبر



15

**OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: dpo\_mardan@yahoo.com

2019

No. 259 /PA

Dated 27/10/2019

**DISCIPLINARY ACTION**

I, SAJJAD KHAN (PSP), District Police Officer Mardan, as competent authority am of the opinion that Constable Iftikhar No. 3590, himself liable to be proceeded against, as he committed the following acts/omissions within the meaning of Police Rules 1975.


**STATEMENT OF ALLEGATIONS**

Whereas, Constable Iftikhar No. 3590, while posted Police Station Hoti, remained absent from duty without any leave/permission of the competent authority vide DD No. 10 dated 07-05-2019 till date.

For the purpose of scrutinizing the conduct of the said accused official with reference to the above allegations, Mr. Shakil Khan SDPO Rural Mardan is nominated as Enquiry Officer.

The Enquiry Officer shall, in accordance with the provision of Police Rules 1975, provides reasonable opportunity of hearing to the accused Police Officer, record/submit his findings and make within (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused Official.

Constable Iftikhar is directed to appear before the Enquiry Officer on the date + time and place fixed by the Enquiry Officer.

  
(SAJJAD KHAN) PSP  
District Police Officer  
Mardan



② **OFFICE OF THE**  
**DISTRICT POLICE OFFICER,**  
**MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: dpo\_mardan@yahoo.com


2019

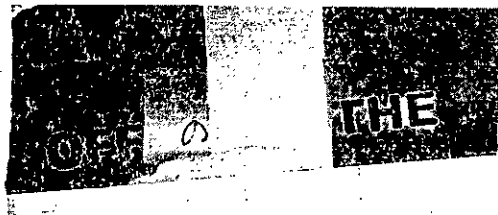
16

**CHARGE SHEET**

I, SAJJAD KHAN (PSP), District Police Officer Mardan, as competent authority, hereby charge Constable Iftikhar No. 3590, while posted Police Station Hoti, as per attached Statement of Allegations.

1. By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.
2. You are, therefore, required to submit your written defense within 07 days of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.
3. Your written defense, if any, should reach the Enquiry Officers 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.
4. Intimate whether you desired to be heard in person.

  
(SAJJAD KHAN) PSP  
District Police Officer  
Mardan



30

17

(13)

25

No 955/R

24-7-19

OFFICE OF THE  
DEPUTY SUPERINTENDENT OF POLICE,  
RURAL CIRCLE, MARDAN.

Phone: 0937-580322 E-mail: dsp.ruralmdn@gmail.com

To,

The District Police Officer,  
Mardan

Subject: DISCIPLINARY ACTION AGAINST CONSTABLE IFTIKHAR 3590.

Memo:

Kindly refer to your office Diary No. 249 / PA: dated 27.06.2019.

In pursuance of your kind order, the undersigned completed enquiry in the above subject case. Its step-wise detail is given below:

i. STATEMENTS OF ALLEGATIONS:

Whereas, Constable Iftikhar No. 3590, while posted at Police Station Hoti, remained absent from duty without any leave / permission of the competent authority vide DD No. 10, dated 07.05.2019 till date.

ii. Statement of allegations.

He stated that he was on routine Shabasi at home, where he faced sudden illness and went to Hospital for treatment. He further stated that during his absence period he was under treatment and requested senior officers to treat his absence as Medical Leave. (copies of admission slip attached).

iii. FINDINGS:

During the course of enquiry proceedings, it was noticed that the alleged official has been enlisted in the department on 05.01.2011, with total 22 Bad entries, no good and remained absent for 303 days. He was contacted time and again to make his attendance at PS. Hoti and produce the same to final the enquiry proceedings, but he only produced his written statement and did not bothered even to appear before the undersigned and is still absent. His previous record reveals that he is no more interested in his duty, hence strongly recommended for ex-parte action.

iv. RECOMMENDATION:

In view of the above facts & circumstances, the undersigned has reached to the conclusion that he may be awarded Major Punishment, if agreed, please.

Enclosed (21)

Issue F. SCN

DPS/mdn

Shakeel Khan,  
Deputy Superintendent of Police,  
Rural Circle, Mardan.

١٧) حساب عالی

١٦)

حوالہ جاریہ نمبر 249 بتاریخ

6  
019

کے جواب میں افسوساً، جان بٹ نمبر 3590 بشافہ کر میں شایاں ہی پر جان بٹ  
 "میں نمبر جاریہ میں سٹیل پر کیا و سٹیل ڈائریکٹ کے پاس سے یا سٹیل علاقہ  
 ماہر خود میں سٹیل جاریہ دن دن اسامیہ سٹیل اور سٹیل سٹیل  
 سٹیل کے ساتھ وہ سٹیل

نمبر سٹیل میں قسم کے *misbehaviour* کا نام جاری ہے اور نہ سٹیل  
 اسے سٹیل دینے اور ان بالائے ضروری اس قسم کے حالات  
*Stalcom* میں رہنے کے قسم سے  
 (مذکورہ سٹیل کے اس حوالے سے *Granted*)

(medical certificate attach below)

نالہ اور افسوساً، جان بٹ  
نمبر 3590

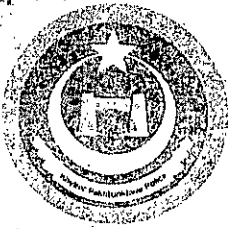


Order.

19

(2) US  
E

*[Handwritten signature]*



**OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: dpo\_mardan@yahoo.com

2019

No. 238 /PA

Dated 18/08/2019

**FINAL SHOW CAUSE NOTICE**

Whereas, you **Constable Iftikhar No.3590**, while posted at Police Station Hoti, remained absent from duty without any leave/permission of the competent authority vide DD No.10 dated 07-05-2019 till date.

In this connection, during the course of Departmental Enquiry, conducted by Mr. Shakil Khan DSP/Rural Mardan vide his office letter No.955/R dated 24-07-2019, in pursuance of this office Statement of Disciplinary Action/Charge Sheet No.249/PA dated 27-06-2019, holding responsible you of gross misconduct and recommended for major punishment.

Therefore, it is proposed to impose Major/Minor penalty as envisaged under Rules 4 (b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Sajjad Khan (PSP) District Police Officer Mardan, in exercise of the power vested in me under Rules 5 (3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975 call upon you to Show Cause Finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within 07 days of receipt of this Notice, failing which; it will be presumed that you have no explanation to offer.

You are liberty to appear for personal hearing before the undersigned.

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

Received by \_\_\_\_\_

Dated: 18/8 /2019

(SAJJAD KHAN) PSP  
District Police Officer  
Mardan

Copy to SHO Police Station Saro Shah (Attention Moharrar) to deliver this Notice upon Constable Iftikhar Son of Abdur Rehman Resident of Garo Shah or any of his closed family member & the receipt thereof shall be returned to this office within (05) days positively for onward necessary action.

Handwritten signature and date: 19/8/2019, 238

Handwritten text: 3590 ...

Handwritten text: ...

Handwritten text: ...

Handwritten text: X-Ray ...

Handwritten text: Habitual absence ...

Handwritten text: Statement ...

Handwritten text: Still absent, DPo/MDN, 06/9/19



OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpo\\_mardan@yahoo.com](mailto:dpo_mardan@yahoo.com)

2019

No. 8/38-35 /PA

Dated 11/11/2019

ORDER ON ENQUIRY OF CONSTABLE IFTIKHAR NO. 3590

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against the subject official, under the allegations that while posted at Police Station Hoti, Proceeded against departmentally through Mr. Shakil Khan SDPO Rural Mardan vide this office Statement of Disciplinary Action/Charge Sheet No.249/PA dated 27-06-2019, on account of absence from duty without any leave/permission of the competent authority vide DD No.10 dated 07-05-2019 till date, who (E.O) after fulfilling necessary process, submitted his Finding Report to this office vide his office letter No.955/R dated 24-07-2019, recommending the alleged official for major punishment.

In this connection, the alleged official was served with a Final Show Cause Notice, under K.P Police Rules-1975, issued vide this office No.238/PA dated 19-08-2019, to which, his reply was received & found un-satisfactory.

Final Order

Constable Iftikhar was heard in O.R on 12-11-2019, but failed to submit any plausible reasons in his defense, therefore awarded him major punishment of dismissal from service with effect from 07-05-2019 with immediate effect, in exercise of the power vested in me under Police Rules 1975.

OB No. 2463

Dated 14/11/2019

(SAJJAD KHAN) PSP  
District Police Officer  
Mardan

Copy forwarded for information & n/action to:-

1. The SDPO City Mardan.
2. The DSP/HQrs: Mardan.
3. The P.O & E.C (Police Office) Mardan.
4. The OSI (Police Office) Mardan with ( ) Sheets.

**ORDER.**

This order will dispose-off the departmental appeal preferred by Ex-**Constable Iftikhar No. 3590** of Mardan District Police against the order of District Police Officer, Mardan, whereby he was awarded major punishment of dismissal from service vide OB No. 2463 dated 14.11.2019. The appellant was proceeded against departmentally on the allegations of his willful absence from his lawful duty vide daily diary No.10 dated 07.05.2019 Police Station Par Hoti District Mardan till date of his dismissal.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Mr. Shakeel Khan the then DSP/Rural, Mardan was nominated to conduct Enquiry into the matter, who submitted his finding wherein he recommended the delinquent official for major punishment.


He was issued Final Show Cause Notice to which, his reply was received and found unsatisfactory. He was also provided opportunity of self defense by summoning him in the orderly Room by the District Police Officer, Mardan on 12.11.2019. But he failed to advance any cogent reasons in his defence, therefore he was awarded major punishment of dismissal from service with effect from 07.05.2019.

Feeling aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 31.12.2019.

From the perusal of the enquiry file and service record of the appellant, it has been found that the delinquent official has been showing irresponsible attitude in utter disregard of the discipline of the force. He could not present any cogent justification for such long absence from duty. Besides the above, the present appellant was earlier dismissed from service vide OB: No. 1553 dated 07.07.2017 on the same allegations who was later on re-instated into service by the then AIG Establishment Khyber Pakhtunkhwa, Peshawar and the punishment of dismissal from service was converted into major penalty of time scale by 03 stages for 3 years. But the appellant did not bother to mend his ways. Rather he repeated the same misconduct which is sheer violation of norms of a disciplined force.

Keeping in view the above, **I, Sher Akbar, PSP S.St Regional Police Officer, Mardan**, being the appellate authority, finds no substance in the appeal, therefore, the same is rejected and filed being devoid of merit.

**Order Announced.**

  
Regional Police Officer,  
Mardan.

No. 138 /ES, Dated Mardan the 03-01-2020 /2020.

✓ Copy forwarded to District Police Officer, Mardan for information and necessary w/r to his office Memo: No. 469/LB dated 10.12.2019. His Service Record is returned herewith.



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. S/ 2030 /20 dated Peshawar the 05/06/2020.

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 Ittikhar No. 3590. The petitioner was dismissed from service w.e.f 07.05.2019 by District Police Officer, Mardan vide OB No. 2463, dated 14.11.2019 on the allegations of absence from duty w.e.f 07.05.2019 till date of dismissal from service i.e. 14.11.2019 for total period of 06 months & 07 days. His appeal was rejected by Regional Police Officer, Mardan vide order Endst. No. 138/ES, dated 03.01.2020.

Meeting of Appellate Board was held on 20.05.2020 wherein petitioner was heard in person. During hearing petitioner contended that he was ill.

Perusal of record shows that he was earlier dismissed from service in 2017 for absence from duty for over 05 months. He is habitual absentee and there is no prospects of mending his ways. The Board see no ground and reasons for acceptance of his petition, therefore, the Board decided that his petition is hereby rejected.

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

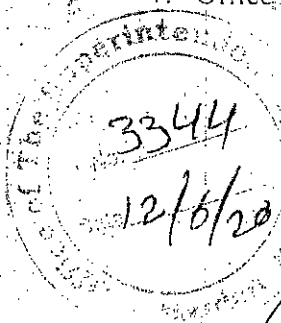
Sd/-

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

No. S/ 2031-37 /20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. One Service Roll and one Fauji Missal of the above named Ex-FC received vide your office Memo: No. 2192-93/ES, dated 26.02.2020 is returned herewith for your office record.
2. District Police Officer, Mardan.
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.



*EC*  
*For minutes*

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

*DPD Mardan*  
*11/6/20*

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

**Service Appeal No. 8144/2020**

Iftikhar Khan Constable No.3590 Police Department Mardan

.....Appellant

**VERSUS**

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar & others

.....Respondents

**AUTHORITY LETTER.**

Mr. Khyal Roz Inspector Legal, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl; Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

**Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)

**Regional Police Officer,  
Mardan.**  
(Respondent No. 02)

**District Police Officer,  
Mardan.**  
(Respondent No. 03)

**BEFORE THE SERVICES TRIBUNAL**

**PESHAWAR**

Service Appeal No.8144/2020

Iftikhar Khan Constable No. 3590 Police Department Mardan.

**Appellant**

**VERSUS**

1. The Provincial Central Police Office, K.P. Peshawar
2. The Regional Police Officer, Mardan Range, Mardan.
3. The District Police Officer, Mardan.

**Respondents.**

**REJOINDER ON BEHALF OF APPELLANT**

Respected Sir,

**Preliminary Objection:**

All Preliminary Objections are misconceived, incorrect. Denied.

**On Facts:**

Paras I to VII

- I. Para No.I of the reply is correct to the extent that appellant was employed in the Police department, during the course of his service the Appellant's mother was seriously ill and was hospitalized, the appellant has to look after her mother, he has timely informed the department/ Respondents about his mother illness and provided confidence inspiring documentary evidence regarding her mother's illness. Therefore the Appellant was re instated into service.

- II. Para No.II, is Incorrect, denied. The Appellant suffered an accident on motor bike, while returning back to home from his duty, he suffered serious back injuries, due to which the appellant couldn't move and remained hospitalized, the Appellant couldn't perform his duty and he remains on bed, the concern Medical Officer advised Appellant complete bed rest, he has timely informed the department/ Respondents but the Respondents have not consider the same. No charge sheet was issued to the Appellant nor he was aware about the inquiry, which was conducted in his absence. Hence the Appellant was condemned unheard.
- III. Para No.III, of the reply needs no reply.
- IV. Para No. IV, of the reply needs no reply.
- V. Para No.V, of the reply is incorrect, wrong, and illegal against the law and facts of the case, hence denied, the appellant was not provided opportunity of hearing and his departmental appeal was rejected without hearing and affording an opportunity of defending himself.
- VI. Para No.VI, of the reply is incorrect, wrong, and illegal against the law and facts of the case, hence denied. No opportunity of hearing and defending himself was afforded to the appellant regarding justifying his stance, the appellant revision petition was rejected illegally without hearing him.
- VII. Para No. VII, is Incorrect, the orders passed by the competent authority as well as the Appellate authority are illegal, unlawful as the appellant remains absent from his duty due to his illness as he suffered injuries in an accident, the Appellant absence from his duty was not willful due to the aforesaid reasons, he has timely informed the department but the same was not considered and he was removed from his service illegally and affording him an opportunity of hearing him.

### GROUNDS

1. Para No. 01 of the reply is incorrect, wrong, and illegal against the law and facts of the case, hence denied. the appellant has timely informed the department about his illness as he suffered accident due to which he was hospitalized and remains absent from his duty.



2. Para No. 02 of the reply is incorrect, wrong, and illegal against the law and facts of the case, hence denied. The appellant was condemned un heard, no charge sheet with statement of allegations was provided to the appellant nor he was afforded an opportunity of hearing. Even the inquiry was conducted in his absence.
3. Para No. 03, the appellant has a genuine reason and his case was based on solid grounds, his termination from service is against the law.
4. Para No. 04, of the reply is incorrect, wrong, illegal against the law and facts of the case, hence denied. The departmental appeal was not decided on merit. The appellant was not provided an opportunity of hearing, the inquiry was conducted in his absence.
5. Para No. 05 of the reply is incorrect, wrong, illegal against the law and facts of the case, hence denied.
6. Para No. 06 of the reply needs no reply.
7. Para No. 07 of the reply needs no reply.

It is therefore most humbly requested that on acceptance of the instant appeal, the impugned order of Dismissal from service, as Contained in (OB No. 2463 dated 14.11.2019) Endorsement No. 8132-35/PA dated 15-11-2019, may please be set aside, and appellant may be reinstated into service with all back service benefits.

Any other consequential relief, not specifically prayed for and deemed proper and appropriate by This Honorable Tribunal, under the facts and circumstances of the case, may also be granted to the appellant.

Dated: 11-05-2022


Appellant



Iftikhar Khan

Through:

Shuaib Sultan



SHUAIB SULTAN  
Advocate High Court  
District Courts Mardan

Advocate, High Court at Mardan.

AFFIDAVIT

I, Iftikhar Khan Constable/ the Appellant, do hereby state on solemn affirmation that the contents of this rejoinder are true and correct to the best of my knowledge and belief.

Deponent

Iftikhar Khan

